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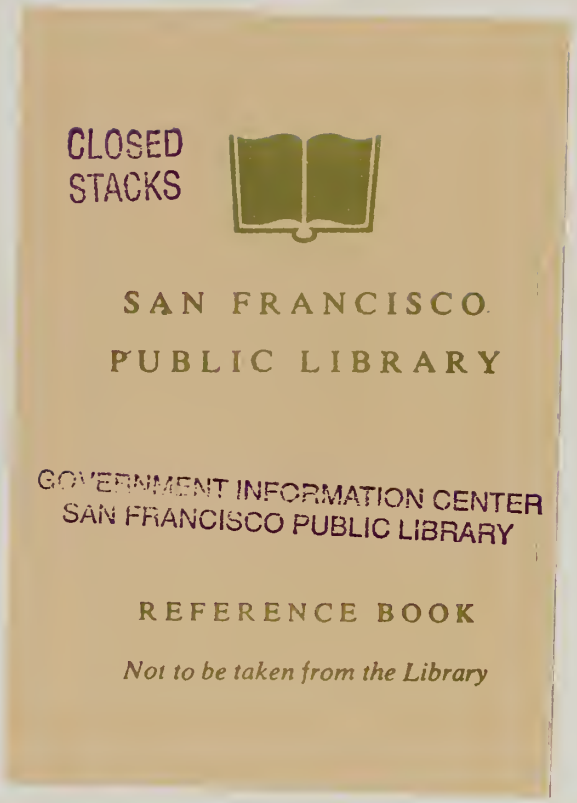

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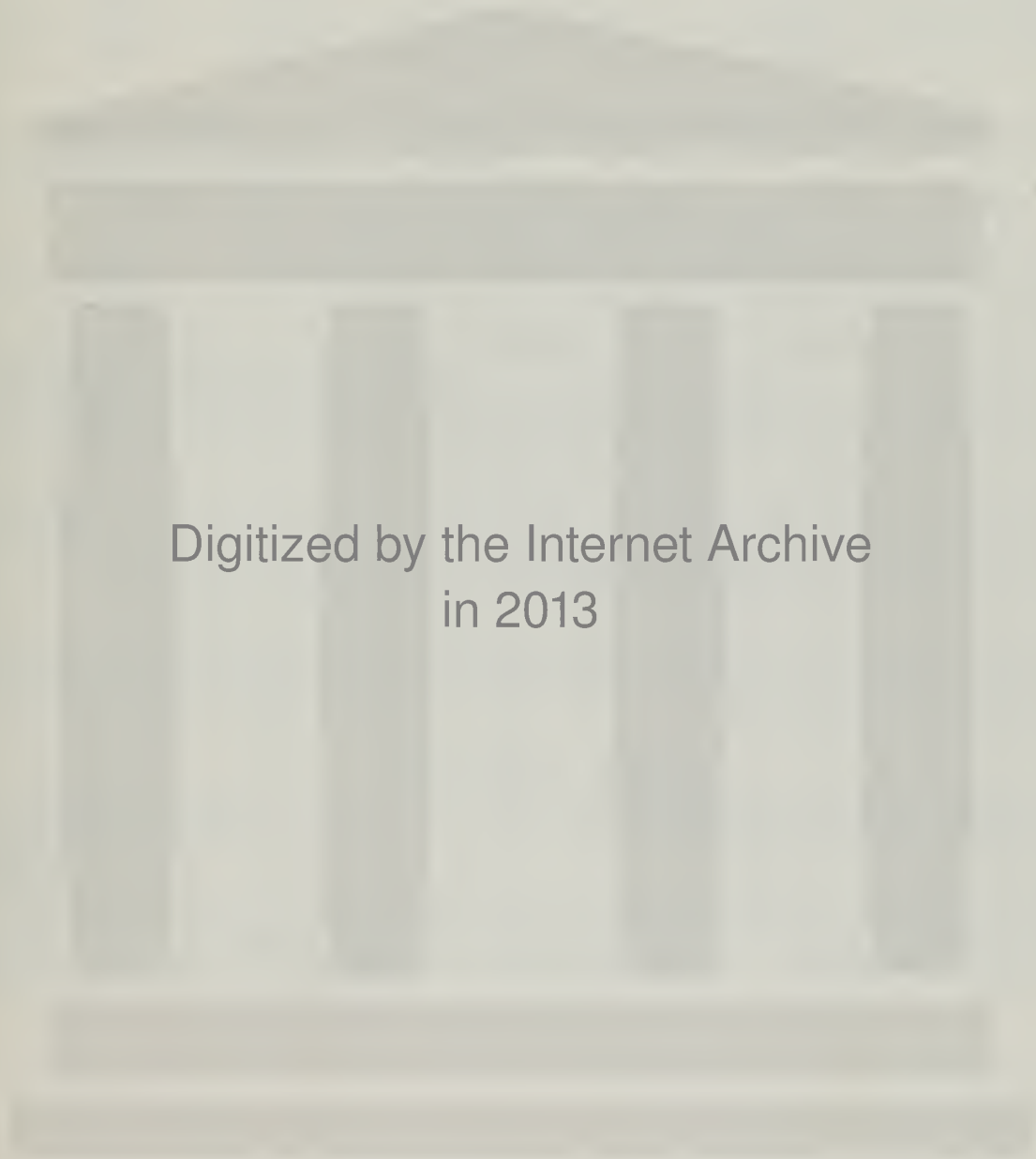

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MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS

MINUTES OF MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

JANUARY 7, 1981

The following requests for rehearing were denied due to lack of motion by the Board:

APPEAL NO. 9084 - PATRICIA FRANK, Appl. vs. POLICE DEPT., Resp.
APPEAL NO. V9090 - DAVID H. GRASSI, Appl. vs. ZONING ADMINISTRATOR, Resp.
APPEAL NO. V9048 - FRANCIS LAI CHIN, Appl. vs. ZONING ADMINISTRATOR, Resp.
APPEAL NO. 10002 - RAOUL SOFER, Appl. vs. DEPT. PUBLIC WORKS, Resp.

The following requests for rehearing were granted and will be calendared for the meeting of January 14, 1981:

APPEAL NO. V10000: MRS. R. J. GIANNINI & MRS. P. PETRI, Appls. vs. ZONING ADMINISTRATOR, Resp.
APPEAL NO. 9087: FRED KOOPMAN, Appl. vs. DEPT. PUBLIC WORKS, Resp.

The following matters were remanded from Superior Court and will be heard by the Board on January 14, 1981.

APPEAL NO. 9001: RITA ROBERTS/PAUL ANDERSON, Appls. vs. POLICE DEPT., Resp.
APPEAL NO. 8988: KYONG SUN CASTANEDA, Appl. vs. POLICE DEPT., Resp.

Correspondence presented to the Board: Letter from City Attorney, dated January 5, 1981 "ROLE OF B.P.A. IN HEARING APPEALS TO WHICH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT APPLIES."

PEREMPTORY WRIT OF MANDATE RE: ADAMOVITCH (APPEAL NO. 8864)- Board issued a new decision deleting the stipulation in the original decision.

APPEAL NO. 10019

THOMAS D. HARVEY, Appl. vs. S.F. DEPT. PUBLIC WORKS, Resp.
Imposition of penalty re work done at 998 Valencia Street (APPLICATION NO. 8009343.
Board voted 4-0 (Commissioner Jackson not present) to overrule the department. Commissioner Engman made the motion. The penalty of $528.00 was reduced to a total of $300.00 ($52.20 Permit and $247.80 Fee).

APPEAL NO. 10008

JAMES JOHNSON, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
Suspension of peddler's permit for five days (Jones & Jefferson)
Vote was 4-0 to uphold the department. Appellant was less than 12 ft. from the crosswalk as stipulated in previous decision.

APPEAL NO. 10013

BRENT CHRISTENSEN, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
Denial on 12/5/80 of permit for Peddler Employee to work at Jones and Jefferson Streets.
Board voted 4-0 to overrule the Department. Hours will not be increased, therefore this does not constitute expansion.

APPEAL NO. 10009

KEVIN BLACK, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
Denial on 12/3/80 of permit to operate Cabaret and After-Hours Dance Hall at 625 Polk Street
Board voted 4-0 to uphold the department and not to grant after-hours permit.

APPEAL NO. 10014

FRANK YI, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
Denial on 12/5/80 of permit for mechanical amusement devices at 447 Broadway.
Vote was 4-0 to overrule the department with the following stipulations: (1) Six-Month probationary permit. (2) there will be a uniformed security guard on duty during all the hours business is open. (3) the hours of operation will be from 3:00 p.m. Monday thru Friday, during the school year.

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APPEAL NO. 10015

DANIEL B. FIDDLER & DAVID KENT FISSE, Appl. vs. POLICE DEPT., Resp.
Denial on 12/5/80 of permit for mechanical amusement devices at 385-Fourth Avenue, dba SPACE GAMES-USA.
Vote was 3-1 to uphold the department. Commissioner Engmann voted to overrule the department. This business would increase an already impacted parking problem.

APPEAL NO. 10016

NORMAN JACKSON, Appl. vs. POLICE DEPARTMENT, Resp.
Revocation on 10/20/80 of permit to drive Jitney bus on Mission Street.
Board voted 4-0 to concur with the department.

APPEAL NO. V9068

FRANK & FLORENCE LOFRANO, Appl. vs. CITY PLANNING, Resp.
Denial of variance for rear yard construction at 2917 Octavia Street.
It was decided to let the appellants make their storage shed watertight until such time as they can alter their main building to provide for this storage. They the rear yard construction will be torn down. Board voted 4-0 to uphold the department.

APPEAL NO. 10004

DANIEL R. LIVINGSTON & THEODORE GRANGER, Appl. vs. DEPT. PUBLIC WORKS, Resp and CITY PLANNING, Disapproval
Denial of permit on 12/1/80 to alter building at 615 Noe Street.
APPLICATION NO. 800244. The Board voted 4-0 to uphold the department.

APPEAL NO. 10021

MARGARET O'CONNOR, Appl. vs. DEPT. PUBLIC WORKS, Resp.
Protesting issuance of permit to YUE SZETO on 12/8/80 to alter building at 328-328½ - 19th Avenue. APPLICATION NO. 8006359. The Board voted 4-0 to concur with the department.

APPEAL NO. 10011

IRMA DEASY, Appl. vs. DEPT. PUBLIC WORKS, Resp.
Protesting issuance of permit 12/8/80 to Ben Argumeto to alter building at 171 Beverly Street. Application No. 8009216. Board voted 4-0 to concur with the department. Planning department will inspect this property within the next ten days and if there is a question about the usage, then there will be a request for rehearing. At this time the structure complies with the code.

APPEAL NO. V10010 and V10018

RICHARD N. RAPOPORT & 2250 HYDE CORP, Appl.)
ROBERT & NANCY SOPER, Appl.) vs. ZONING ADMINISTRATOR
Protesting issuance of variance on 12/4/80 to Charles Sprincin regarding property at 2256 Hyde Street. No one was present to represent the appellants, therefore the Board voted to concur with the department (4-0)

Meeting was adjourned at 9:25 p.m.

Date: January 7, 1981

Richard J. Guggenhime, President

Claire C. Pilcher, Executive Director

1/14/81

MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS
JANUARY 14, 1981

The first order of business was the election of officers. President Guggenhime nominated Louis Giraudo for president and the Board voted unanimously to elect. Vice President Engmann nominated Commissioner Cerbatos as Vice President, and the Board voted unanimously to elect.

The following Requests for Rehearing were not granted:
APPEAL NO. 10015: DANIEL B. FIDDLER & DAVID KENT FISSE, Appl. vs. SAN FRANCISCO POLICE DEPARTMENT, Resp.
APPEAL NO. 10004: DANIEL R. LIVINGSTON & THEODORE A GRANGER, Appl. vs. SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS, Resp.

The following appeals were granted a rehearing and will be heard by the Board at the regular meeting of January 21, 1981:
APPEALS NOS. V10010 & V10018: Both regarding protest of variance granted to Charles Sprincin regarding property at 2256 Hyde Street.
APPEAL NO8968: WRIT OF MANDATE FROM SUPERIOR COURT: HEN THI HUYNH GONZALES.

CORRESPONDENCE: Negative Declaration regarding 424-434 Holladay Avenue (Unanimously accepted)

APPEAL NO. 10035

PATRICK ROBERTSON, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp. Imposition of penalty 1/7/81 for work done at 2715 Scott Street. (APPLICATION NO. 8010888) Board voted unanimously to overrule the department with the following stipulation: (penalty will be waived and appellant will pay two times the permit fee ($22.20 X 2 = $44.40)

APPEAL NO. 10034

DANIEL SCHER, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp. Imposition of penalty 1/7/81 for work done without permit at 746 Castro. (APPLICATION NO. 8010869) Board voted unanimously to overrule the Department with the stipulation that the appellant will pay half the penalty fee of $934.20 plus the permit fee of $103.80, making a total due of $570.90.

APPEAL NO. 10031

FRANK KEHOE, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp. Imposition of penalty 12/31/80 for work done without permit at 223 Corbett. (APPLICATION NO. 8009258) Board voted 5 - 0 to overrule with the following stipulation: Appellant will pay a penalty fee of $100 plus $63.00 permit, making a total due of $163.00.

APPEAL NO. 10025

LILY GALINDO, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp. Imposition of penalty on 12/22/80 for work done without permit at 1326 - 22nd Avenue. (APPLICATION NO. 8009840) Board voted 5 - 0 to overrule the department and reduce the penalty fee to $250.00 plus the permit fee of $83.40, making a total due of $333.40; (2) overrule the requirement that ceiling must be seven feet and allow Six feet nine inches.

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APPEAL NO. 10026

USTAVO ESCOBAR, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
enial on 10/10/80 of permit for Dance Hall Keeper and Place of Entertainment t 5163 Mission Street. Board voted(on motion by Vice-President Cerbatos) -0 to overrule the department on entertainment and to concur with the epartment on dancing permit, with the following stipulations: (1) Ninety- ay trial period (2) Uniformed guard be present.

APPEAL NO. 10028

ARY JOHNSON, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
enial 12/17/80 of permit to operate a taxicab. Matter continued to eeting of January 21, 1981 so appellant could have legal representation.

APPEAL NO. 10030

ITTY LEE, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
enial 12/18/80 of permit to operate massage establishment at 428 O'Farrell. oard voted 4-1 to overrule the department with President Giraudo voting o concur with the department. The stipulations are as follows: 1) Must hire at least one male masseuse; (2) No person to be hired who as been convicted in the past five years; (3) that exercise equipment be rovided as specified by appellant's attorney.

APPEAL NO. 9079

NJONG HARVEY, dba KAMIKO'S SPA, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
evocation on 11/3/80 of permit to operate massage establishment at 020 Geary Street. Board voted 5-0 to uphold the department.

APPEAL NO. 10029

TEPHEN HEAGAN, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
S.F. FIRE DEPARTMENT Disapproval
enial on 12/29/80 of permit to alter building at 110 Gough Street. APPLICATION NO. 8011213) Board voted 4-0 (Commissioner Engmann absent uring taking of this vote) to overrule the department in view of the tatement of Captain Mahoney that this building is fire safe.

APPEAL NO. 10023

ALTER A. GRAY, JR., Appl. vs. SAN FRANCISCO ZONING ADMINISTRATOR, Resp.
enial of Rear Yard Variance at 24 Buena Vista Terrace (APPLICATION NO. 007014) Matter continued to the meeting of January 21, 1981.

APPEAL NO. V10007

OHN R. WALLIS, Appl. vs. S.F. ZONING ADMINISTRATOR, Resp.
rotesting granting of rear yard variance for 424-434 Holladay Avenue. he negative declaration regarding ecological impact was accepted by he Board unanimously. Board then voted 5-0 to uphold the department and o grant this variance because all five conditions had been met.

APPEAL NO. 10024

OGER FERRIS, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
rotesting issuance 12/16/80 permit to MEL DEVELOPMENT to build at 6-58 Manchester. (APPLICATION NO. 8001213) Board decided to have an nformal site inspection(arrangements will be made individually by the

ommissioners. Pending this, matter was continued to January 21, 1981.

APPEAL NO. 9089

SADORE ROSENTHAL, Appl. vs. S.F. DEPARTMENT OF PUBLIC WORKS, Resp.
rotesting issuance on 11/10/80 of permit to Patricia Murphy to alter
uilding at 1436-25th Avenue. Continued to meeting of February 11, 1981.

APPEAL NO. 10032

AYNE CHARKINS & JULIE LUI, Appls. vs. S.F. DEPT. PUBLIC WORKS, Resp.
enial of permit 12/31 to alter building at 464 Grant Avenue.
APPLICATION NO. 8011027). Board voted to overrule the department 5-0
inding that the 1/4" wire glass and aluminum frames will be adequate
o those windows facing the fire escape.

APPEAL NO. V10000

ARY GIANNINI, Appls. vs. S.F. ZONING ADMINISTRATOR, Resp.
enial of Rear Yard Variance at 2165 Beach Street. Matter continued
o January 21 meeting.

APPEAL NO. 9087

RED KOOPMAN, Appl. vs. S.F. DEPT. OF PUBLIC WORKS, Resp.
CITY PLANNING, Disapproval
enial on 11/7/80 of permit to alter building at 2277 Van Ness Avenue.
APPLICATION NO. 8009254) Board voted unanimously to overrule the
epartment with the stipulation that (1) 100% of the seismic requirements
re met that will enhance the wind resistance of the building.

APPEAL NO. 10027

ATRICIA SANDS, Appl. vs. Protesting issuance on 12/15/80 permit
o Tom Fleming to build at 1352-54 De Haro Street. Site Inspection
ill be held at 8:00 a.m. January 20, 1981 and matter will be presented
or further hearing at meeting of January 21, 1981.

Date: January 14, 1981

Louis J. Giraudo, President

Claire C. Pilcher, Executive Director

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MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS
JANUARY 21, 1981

The following Request for Rehearing was granted and calendared for the regular meeting of February 4, 1981:
APPEAL NO. 10011: IRMA DEASY, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.

The following Request for Rehearing was denied due to lack of motion:
APPEAL NO. 10025: LILY GALINDO, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.

APPEAL NO. 10012

LEONARD W. CRAIG, Appl. vs. SAN FRANCISCO POLICE DEPARTMENT, Resp.
Denial 12/5/80 permit for mechanical amusement devices at 4424-3rd St. Board voted unanimously to concur with the department.

APPEAL NO. 8988 - REMAND FROM SUPERIOR COURT

KYONG SUN CASTANEDA, Appl. vs. SAN FRANCISCO POLICE DEPT., Resp.
Revocation 8/20/80 permit to operate massage establishment, YUMI'S MASSAGE at 375 Sutter Street. Board voted unanimously to set aside previous decision of October 1, 1980. Then voted to concur with the department and to revoke this permit with the following findings: (1) appellant did not keep log of massage patrons as required; (2) that appellant only kept handwritten list of employees only by first name and not their license number, violating conditions imposed by Board March, 1980; (3) that there is conflict in testimony between Ms. Nakamura and Sergeant Kemmit's statement that he observed Mr. Nakamura in a cubicle, nude, except for pair of panties; (4) that Ms. Castenada does not adequately supervise her employees and does not spend sufficient time on the premises. An employee solicited Officer Purdue (SFPD) for an act of prostitution on July 9, 1980.

APPEAL NO. 81-6

NANCY L. ARON/COMMITTEE TO FREE THE MAO TSE TUNG DEFENDANTS, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
Board voted unanimously to overrule the department with the following stipulations: that Nancy L. Aron be present at all times when the loudspeaker permit is being used.

APPEAL NO. 10027

PATRICIA SANDS, Appl. vs. S.F. DEPT. PUBLIC WORKS, Resp.
Negative Declaration (Environmental Report) unanimously accepted. Previously heard at regular meeting of January 7, 1981; Site Inspection held January 20, 1981; Appellant is protesting issuance of permit to Tom Fleming to build at 1352-54 DeHaro Street. Board voted unanimously to grant the variance with the following stipulations: (1) the entire street (DeHaro) will be widened between 24th St. and 25th St., and approved by City Engineer; (2) there will be no parking on either side of the street; (3) a good faith effort will be made to pursue the dedication of this street.

APPEAL NO. V-10023

WALTER A. GRAY, JR., Appl. vs. ZONING ADMINISTRATOR, Resp.
Denial of Rear Yard Variance property located at 24 Buena Vista Terrace. (APPLICATION NO. 8007014) Board voted 5-0 to uphold the department as the five conditions have not been met.

APPEAL NO. V10010

RICHARD N. RAPOPORT/JEAN A. RAPOPORT/2250 HYDE CORPORATION, Appl. vs. ZONING ADMINISTRATOR, Resp.
Protesting issuance of Variance to Charles Sprincin 12/4/80, property located at 2256 Hyde Street. Board voted to concur with the Department as the five conditions have been met.

APPEAL NO. V10018

ROBERT & NANCY SOPER, Appl. vs. ZONING ADMINISTRATOR,
Protesting issuance of Variance same as V10010. Board voted to concur with the Department as the five conditions had not been met.

APPEAL NO. 81-8

HENRY LOOK & ASSOC., Appl. vs. S. F. DEPT. PUBLIC WORKS, Resp.
Denial 1/7/81 permit to build at 971 Greenwich (APPLICATION NO. 8010870) Board voted 5-0 to overrule the department, to grant this permit with the following stipulation: that the roof of penthouse be sloped so as not to impede view.

APPEAL NO. 10036

A. L. MUNSON, Appl. vs. ZONING ADMINISTRATOR, Resp.
Denial 1/07/80 of permit to alter building at 971 Greenwich St. (APPLICATION NO. 8010870). Board voted 5-0 to concur with the department to deny said permit.

APPEAL NO. 81-5

QUINTA MUGNANI, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.
Protesting issuance on 1/5/81 of permit to Randall Nathan to alter building at 242 Francisco Street. (APPLICATION NO. 8002854) Board decided to have a site inspection to be held February 3, 1981. Further hearing will be at meeting of February 4, 1981.

APPEAL NO. 10024

ROGER FERRIS, Appl. vs. S.F. DEPT. OF PUBLIC WORKS, Resp.
Protesting issuance on 12/16/80 of permit to MEL DEVELOPMENT, INC. to build at 56-58 Manchester. (APPLICATION NO. 8001213)
Vote was 5-0 to overrule the department with the following stipulations: (1) that plans dated February 1980, sheets 1,3,4,5, be adopted; (2) that roof terraces be moved back; (3) that the north wall be painted white.

Date: January 21, 1981

Louis J. Giraudo, President

Claire C. Pilcher

Claire C. Pilcher, Executive Director

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, FEBRUARY 4, 1981

The following Request for Rehearing was granted:
APPEAL NO. 9057: GLORIA MURPHY, Appellant vs. DEPT. PUBLIC WORKS, Resp
CITY PLANNING, Disapproval
Denial of permit to alter building at 453 Frederick St. RAP Report No.1367. Department of Public Works requested the rehearing and matter will be calendared for rehearing at regular meeting of February 11, 1981.

The following Remand from Superior Court was considered by the Board. Vote was to set aside previous decision and to rehear this matter at regular meeting of February 18, 1981:
APPEAL NO. 9001: RITA J. ROBERTS/PAUL ANDERSON, Appellants vs.
SAN FRANCISCO POLICE DEPARTMENT, Respondent
Revocation of permit on August 27, 1980 to operate massage establishment LA BELLA MASSAGE at 451 O'Farrell Street.

The following matters were brought to the attention of the Board, but no action was needed at this time.

APPEAL NO. 9015: AH DAE MORALES, Appellant vs. S.F. POLICE DEPT., Resp. Revocation on September 12, 1980 of permit to operate massage establishment dba MADAME BUTTERFLY at 172 Sutter Street. Argued January 29, 1981, decision expected shortly. No action needed today.

APPEAL NO. 9008: EARL S. KUHNS, Appellant vs. S.F. POLICE DEPT., Resp. Revocation on September 4, 1980 of permits to operate Adult Theatre and Adult Bookstore at 101 Taylor Street, dba FRENCHY'S K & T ADULT BOOKSTORE.

Appellant's petition for Writ DENIED, and Board was upheld. No action needed.

APPEAL NO. 81-9

ERRY WINBERG, Appl. vs. DEPT. PUBLIC WORKS, Resp.
mposition of penalty on 1/15/81 for work done without permit at 149 Corbett. he Board voted 4-0 to overrule the department.

APPEAL NO. 81-10

HOMAS EDEN, Appl. vs. DEPT. PUBLIC WORKS, Resp.
mposition of penalty on 1/9/81 for work done without permit at 26 Edgewood Avenue. Board voted 3-1 (Comm. Guggenhime absent) to overule the Department. Appeal was denied and appellant must pay regular fee f $140.75, plus the Penalty of $351.50, totaling $492.25 as ordered by he Department.

APPEAL NO. 81-12

OBERT CORT, Appl. vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING, Disapproval
mposition of penalty and denial of permit to alter building at 034 Fillmore Street. This Appeal has been continued and will be calendared or further hearing at regular meeting of February 11, 1981.
PPLICATION NO. 8010540.

APPEAL NO. 81-13

AWK N. LEE, Appl. vs. DEPT. PUBLIC WORKS, Resp.
mposition of penalty 1/22/81 for work done without permit at 179 Funston Avenue (APPLICATION NO. 8010933). Board voted 4-0 ith Commissioner Guggenhime absent to overrule the Department as ollows: Appellant will pay $22.20 Permit Fee, plus an Administration ee of $22.20, making a total of $44.40.

M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, FEBRUARY 4, 1981

APPEAL NO. 10028

GARY JOHNSON, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
Denial on December 17, 1980 of permit to operate a taxicab. The Board voted 4-0 to overrule the Department with the following stipulations: (1) that permit be granted for a six-month period and (2) that appellant stay in school with at least 9 units of credit.

APPEAL NO.81-18

WALTER M. SIMMONS, Appl. vs. S.F. POLICE DEPARTMENT. Resp.
Denial on January 16, 1981 of permit to operate a taxicab. Vote was 4 - 0 to overrule the Department. Commissioner Engmann made the motion before the vote that this be a six-month permit and at the end of that time the Police Department will review.

APPEAL NO. 81-19

CARL S. HAYES, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
Revocation on January 27, 1981 of permit to operate a taxicab. The Police Department stated that they want to change from revocation to a 30-day suspension. The Board voted 4-0 that 30-day suspension of this permit was sufficient.

APPEAL NO. 10011

IRMA DEASY, Appl. vs. DEPT. PUBLIC WORKS, Resp.
Protesting issuance on 12/8/80 of permit to Ben O. Argumeto to alter building at 171 Beverly Street. APPLICATION NO. 8009216. City Planning's investigation showed that garage is not being used for workshop to make shades commercially. Permit holder has decided not to build. No decision necessary.

APPEAL NO. 10022

ILLIAM S. ROSETTI, Appl. vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING, Disapproval

enial of permit on 12/11/80 to alter building at 2264 Green Tstreet. PPLICATION NO. 8002854. Board voted 4-0 (Commissioner Guggenhime absent) o to concur with the department.

APPEAL NO. 81-5

UINTA MUGNANI, Appl. vs. DEPT. PUBLIC WORKS, Resp.
rotesting issuance of permit to Randall Nathan to alter building at 42 Francisco Street. APPLICATION NO. 8002854. Matter was continued o March 4, 1981.

APPEAL NO. 81-7

ORIENNE L. BREMAN, Appl. vs. DEPT. PUBLIC WORKS, Resp.
enial on 1/13/81 of permit to alter building at 1661 Bush Street. PPLICATION NO. 8011270. The Board voted 4-0 to concur with the epartment (Commissioner Guggenhime absent). Board decided to stay he execution of this decision to July 1, 1982.

APPEAL NO. 81-11

OHN LAU CONSTRUCTION, Appl. vs. DEPT. PUBLIC WORKS, Resp.
nial of electrical permit on January 19, 1981 at 740-21st Avenue. is matter was withdrawn by Ray McDonnell of the DPW as per note dated bruary 3, 1981.

MINUTES OF MEETING OF BOARD OF PERMIT APPEALS OF FEBRUARY 4, 1981

APPEAL NO. 81-14

GEORGE HINES, Appl. vs. S.F. DEPT. PUBLIC WORKS, Resp.
Denial on January 20, 1981 of permit to alter building at 330 Frederick. APPLICATION NO. 8100023. The Board voted 4-0 to overrule the Department with the following stipulations: (1) If the property is sold, the work required under Department of Public Works Application No. 8100023 shall be done as a contingency of sale; and (2) before the building may be used as three units, the building must comply with the applicable codes.

APPEAL NO. 81-16

KATHERINE MANN vs. DEPARTMENT OF PUBLIC WORKS, Resp.
Denial on January 15, 1981 of permit to alter building at 1015 Jamestown. The Board voted 4 - 0 to overrule the department as the addition in question is only one story above ground level due to the convergence of the house, and therefore meets the intent of the Code. Further noting that the intent of the code is to prevent the use of plastic pipe that extends over two stories which could create a tenuous situation if it burns. This motion was made by Commissioner Engmann.

APPEAL NO. 81-17

NEW MISSION TERRACE IMPROVEMENT ASSOC. vs. DEPT. PUBLIC WORKS, Resp.
Protesting issuance of permit on January 19, 1981 to McDonald's Inc. for restaurant at 4621 Mission St. APPLICATION NO. 8001256.
The Negative Declaration was accepted by the Board by a vote of 4-0.
Regarding the protest appeal, the Board voted 3-1 to overrule.
President Giraudo voted to concur with the Department, Commissioner Guggenhime, absent.

APPEAL NO. 81-20

WILLIAM L. RIDDLE, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
Denial on January 27, 1981 of permit to alter building at 38 Delmar St. APPLICATION NO. 8006259.
Board voted 4-0 to overrule the department. The appellants agree to meet the one-hour restriction. This appeal only has to do with the ceiling height. The vote to overrule the department was made with the finding that the overall area of the rooms exceeded the minimum therefore this meets the intent of the code.

Date: February 4, 1981

LOUIS J. GIRAUDO, PRESIDENT

Claire C. Pilcher

CLAIRE C. PILCHER,
EXECUTIVE DIRECTOR

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
FEBRUARY 11, 1981

There were no matters for consideration or requests for rehearings.

APPEAL NO. 9057

GLORIA MURPHY, Appl. vs. S.F. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING, Disapproval

Denial of permit to alter building at 453 Frederick St. RAP REPORT NO. 1356.

This matter was presented for rehearing at the Request of the department. The Board voted 4 - 1 to overrule the department. Commissioner Engmann voted to concur. The following stipulations were imposed: (1) that stove in basement be permanently disconnected, and (2) that restriction of this building to a single-family dwelling be recorded on the Deed.

APPEAL NO. 81-25

DAVID NO YOUNG, Appl. vs. S.F. DEPT. OF PUBLIC WORKS, Resp.

Imposition of penalty on February 4, 1981 for work done without permit at 3970 - 20th Street (APPLICATION NO. 8008817).

Board voted unanimously to overrule the department with the following stipulation: that the penalty be reduced in half $375.30, plus the permit fee of 83.40. The department will collect a total of $458.70 instead of the original amount of $834.00.

APPEAL NO. 81-12

ROBERT CORT, Appl. vs. S.F. DEPT. OF PUBLIC WORKS, Resp.
CITY PLANNING, Disapproval

Imposition of penalty and denial of permit to alter building at 2034 Fillmore. (APPLICATION NO. 8010540)

Board voted separately on the two issues in this matter. In the matter of the penalty, the vote was 4-1 to overrule the department with Commissioner Engmann voting to concur with the department. The stipulation is that the appellant will pay two times the permit fee ($516.80 x 2) =1033.60 and to delete the penalty of $1,000.00. The vote regarding the alteration of the building was 4 - 1 to concur with the department. Commissioner Jackson voted to overrule the department.

APPEAL NO. 9036/9035/ 9044

CARLENE SPECKMAN)
JUDITH GARCIA) Appellants vs. S.F. POLICE DEPARTMENT, Resp.
TIFFANI'S MASSAGE PARLOR)

After lengthy discussion by the appellant's attorney, Alan Moss, the Board decided to hear these three appeals at a special meeting. Date to be set later.

APPEAL NO. 81-21

MEYER NEFT, Appl. vs. S.F. POLICE DEPARTMENT, Resp.

Denial of permit to operate as Dance-Hall Keeper at 181 Eddy Street.

Charles Morgan presented the case for the appellant. The Board voted unanimously to overrule the department because the previous permit had never been revoked, even though a subsequent application was made and denied by the Police Department.

APPEAL NO. 81-15

GARY H. DEL GRANDE, Appl. vs. S.F. POLICE DEPARTMENT, Resp.

Revocation on January 13, 1981 of permit to operate mechanical amusement devices at 401 Eddy Street.

The attorney for the Appellant was Joseph J. Phillips. The Board voted 3 - 2 for the department. President Giraudo and Commissioner Guggenhime voted to concur. Permit denied.

APPEAL NO. 81-23

K. V. TITOV, Appl. vs. S.F. DEPT. OF PUBLIC WORKS, Resp.
Protesting issuance of permit on January 23, 1981 to T. W. Eng to build at 4430 Anza. The Permit Holder Mr. Eng was represented by Gordon Lau. The vote was 5 - 0 to concur with the department. To grant the permit with the following stipulations: (1) that plans show an interior stairway connecting the different floors of each dwelling unit; (2) that there be three meters only, one for each unit and one for the entire common area (garage, basement, stairways, and hallways); (3) only three furnaces in the building; (4) only two sets of washers and dryers, and no gas or electrical connections for additional washers or dryers; and (5) that a special restriction be recorded limiting the building to two dwelling units.

APPEAL NO. 81-V24

MARGARET C. RANDOLPH, Appl. vs. ZONING ADMINISTRATOR, Resp.

The Board decided to continue this matter to the meeting of February 25, 1981. They will have a site inspection at 66 Winfield Street Tuesday, February 24, 1981 at 8:00 a.m.

Date: February 11, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, FEBRUARY 25, 1981

The following matters were presented to the Board asking them to take jurisdiction beyond the ten-day period -- Neither of these requests were granted.

Request from Mr. & Mrs. Robert Berg protesting issuance of permit to Marshall Dix to alter building at 28 Dellbrook.

Request from Richard D. Braumbaugh, President of Community Electric, Inc., protesting adjustment of fees by Department of Public Works. Letter from Department of Public Works did not state that he only had ten days to appeal.

The following Requests for Rehearing were denied because of lack of motion:

APPEAL NO. 81-12: ROBERT CORT, Appl. vs. DEPT. PUBLIC WORKS, Resp.
(Heard Feb. 4 & 11, 1981) CITY PLANNING, Disapproval

APPEAL NO. 81-15: GARY DEL GRANDE, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
(Heard at meeting of February 4, 1981)

The following Requests for Rehearing were granted:

APPEAL NO. 81-10: THOMAS EDEN, Appl. vs. DEPT. PUBLIC WORKS, Resp.
Imposition on January 9, 1981 of penalty on work done without a permit at 226 Edgewood.

APPEAL NO. 81-17: NEW MISSION TERRACE IMPROVEMENT ASSOC. vs. DEPT. PUBLIC WORKS,
Appl. Resp.
Protesting issuance on January 19, 1981 of permit to McDonald's, Inc. to alter building at 4621 Mission Street. (APPLICATION NO. 8001256).

APPEAL NO. 81-19: CARL S. HAYES, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
Revocation on January 17, 1981 of permit to operate taxicab.

The following was a REMAND FROM SUPERIOR COURT and will be reheard by the Board of Permit Appeals at the regular meeting of March 18, 1981:

APPEAL NO. 8968: HEN THI HUYNH/GONZALES vs. S.F. POLICE DEPARTMENT, Resp.

The Board was informed that Appeal no. 9020: KYONG CHA MOON, dba TOKYO MASSAGE by a memorandum from Phillip Moscone of the City Attorney's office that on appeal to the Superior Court, decision denying the petition for WRIT OF MANDATE-BOARD UPHELD.

APPEAL NO. 81-V24

MARGARET RANDOLPH, Appl. vs. ZONING ADMINISTRATOR, Resp.
Protesting granting of variance to Ric Kaufman at 66 Winfield. This matter was heard at the meeting of February 11, 1981. A site inspection was held on February 24, 1981 and all the commissioners were present. The vote was 4 - 1 to concur with the department as all the conditions of the variance had been met. Commissioner Engmann voted to overrule the department.

APPEAL NO. 81-33

CHERDPOOM MARKPOL, Appl. vs. S.F. DEPARTMENT PUBLIC WORKS, Resp.
Imposition of penalty February 11, 1981 for work done without a permit at 301 West Portal Avenue (APPLICATION NO. 8089384). The Board voted unanimously to overrule the department with the following stipulation: that the penalty fee be reduced by half and the Department of Public Works will collect half the penalty fee (237.60 plus the permit fee of $52.80) making a total owed by the appellant of $290.40.

APPEAL NO. 81-31

CHRIS E. NIELSEN, Appl. vs. S.F. DEPARTMENT PUBLIC WORKS, Resp.
Imposition of penalty on February 3, 1981 for work done. Board voted to overrule the department by a 5-1 vote, with the following stipulation: that the appellant pay 2 X the permit fee of $7.50 for a total of $15.00.

APPEAL NO. 81-27

FILOMENA VALENCIA, Appl. vs. S.F. DEPARTMENT PUBLIC WORKS, Resp.
Imposition of penalty on February 6, 1981 for work done without a permit at 2763 Golden Gate Avenue (APPLICATION NO. 8011252)
Board unanimously overruled the department with the stipulation that the appellant pay two times the permit fee of $83.40 making a total of $166.80 and to delete the penalty.

APPEAL NO. 81-22

ALAN CHEW, Appellant vs. S.F. DEPARTMENT PUBLIC WORKS, Resp.
Protesting issuance on January 21, 1981 of permit to alter building at 183 Topaz Way. Board voted unanimously to concur with the department and to grant the permit to Mr. J. V. Anselmo, permit holder.

APPEAL NO. 81-34

ELIE MASSOUDA, Appl. vs. S.F. DEPARTMENT PUBLIC WORKS, Resp.
Protesting issuance of permit on February 11, 1981 to Jim Maher to alter building at 3737 Kirkham. (APPLICATION NO. 8008958) Board voted 5-0 to concur with the department and to grant the permit.

APPEAL NO. 81-35

SPIRO GATT, dba ABC PLUMBING/ HEATING, Appellant vs. S.F. DEPARTMENT PUBLIC WORKS, Resp.
Denial of permit on February 18, 1981 to alter building at 645 Pacheco Street. Board voted unanimously to overrule the department, inasmuch as the installation is within the code.

Date: February 28, 198

LOUIS J. GIRAUDO, President

CLAIRE C. PILCHER, Executive Director

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M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, MARCH 18, 1981

Present at this meeting were: President Giraudo, Vice President Cerbatos, Commissioner Engmann, Commissioner Jackson, Commissioner Guggenhime, Executive Director Claire C. Pilcher; Secretary Rita Lee, Staff Aide James Parish; Hearing Reporter Doris Levine, and representatives of departments with appeals to be presented.

There were no Requests for Rehearing or matters for Consideration.

APPEAL NO. 81-50

WILLIAM J. & ROBERT J. CLARK, Appls. vs. S.F. ART COMMISSION, Respondents
The appellants stated that they had a valid artist's certificate when the rules were changed and they were not informed of the new rules. They were denied a renewal of their certificate. The vote was unanimous to overrule the department.

APPEAL NO. 8968 REMAND FROM SUPERIOR COURT

HEN THI HUYNH GONZALES, Appl. vs. S.F. POLICE DEPARTMENT, Respondent.
(Originally heard at regular meeting of August 20, 1980) was an appeal from the "Revocation on August 11, 1980 of masseuse permit."
At this present meeting (3/18/81) appellant represented by Richard de Jauregui. Police department represented by Lawrence Wilson of the Legal Department. The Board voted on Commissioner Guggenhime's motion that permit be suspended for 30 days instead of revoked. Vote was 4 - 1 to overrule the department with the stipulation as stated in the motion. President Giraudo voted to concur with the department.

APPEAL NO. 81-19

CARL S. HAYES, Appl. vs. S.F. POLICE DEPT., Respondent
Revocation 1/17/81 of permit to operate a taxicab. This matter is presented for Rehearing. The Board voted 5-0 to overrule the department with the following stipulations: (1) that the permit be suspended instead of revoked; (2) that the permit be suspended for 30 days which will be considered to have been completed.

APPEAL NO. 81-39

DAVID FILLER, Appellant vs. S.F. POLICE DEPARTMENT, Respondent
Denial of permit on 2/17/81 to operate Billiard Parlor at 4049 - 18th Street, dba "MOBY DICK BAR." The Board overruled the department with a vote of 5-0 because the device has been in existence since 1978, and that the owner applied for a new permit because the law had been changed, and this device can be used as an accessory.

APPEAL NO. 81-40

MARC BERGER, Appellant vs. S.F. POLICE DEPARTMENT, Respondent
Denial on 2/17/81 of permit to operate second-hand store at 1431A Castro Street, dba "LOOK SHARP." The Board ruled to continue this matter for three weeks, so appellant can investigate whether there has been commercial use in the past. Will be calendared for the meeting of April 8, 1981.

APPEAL NO. 81-43

THOMAS JONES, Appellant vs. S.F. POLICE DEPARTMENT, Respondent
Denial on 2/19/81 of permit to operate a taxicab. Commissioner Engmann made the motion and the Board voted to unanimously overrule the department with the following stipulation: That the permit be issued for a six-month probationary period and the appellant is to reapply at that time.

APPEAL NO. 81-47

WILLIAM M. SALEME, dba MARCEL CONSTRUCTION CO. vs. DEPT. PUBLIC WORKS, Respondent
Denial 3/4/81 of permit to alter building at 1045-47 Tennessee Street. The Board voted 5 - 0 to overrule the department with the following stipulations: (1) that there will be a legal common sewer, and easement agreement between the parties which will meet the intent of the Code.

APPEAL NO. 81-47 (Continued

(2) That a notorized agreement to be signed within seven days of the decision.

APPEAL NO. 81-44

KATHERINE MANN/RUTH CALLAS/JOHN & FANNIE R. BATISTE, Appellants vs.
DEPT. PUBLIC WORKS, Respondent

Protesting issuance 2/20/81 of permit to build at 1009/1017 Jamestown Avenue.
APPLICATION NO. 80005761.
The Board voted to concur with the department with the following stipulations:
(1) that new drawings be made to show that set back will be even with Ms. Mann's house. (2) that Ms. Mann will submit a check for half the cost of the drawings and the work in ten (10) days, and the rest at the completion of the plans.

DATE: March 18, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, MARCH 25, 1981

Present: President Louis J. Giraudo
Vice-Pres. Agripino R. Cerbatos
Commissioner Mattie Jackson
Commissioner Douglas Engmann
Commissioner Richard Guggenhime

Executive Director:
Claire C. Pilcher
Hearing Reporter:
Doris Levine

Requests for Rehearing: APPEAL NO. 81-48 ROBERT HAMANN, Appl.
vs. DEPARTMENT OF PUBLIC WORKS, Resp.
This Request for Rehearing was made by the Department. The Board voted unanimously to grant this request and this appeal will be heard at the meeting of April 1, 1981.

The Board voted unanimously to adopt the proposed budget for fiscal year 1981-82 (July 1, 1981 through June 30, 1982).

The Board unanimously adopted the new fee schedule increase which they previously approved, also adopted was the Intern's Report on Density-Specific Appeals.

APPEAL NO. 81-17
NEW MISSION TERRACE IMPROVEMENT ASSOC., Appl.
vs. DEPARTMENT OF PUBLIC WORKS, Resp.
Protesting issuance on 1/19/81 of permit to McDonald's, Inc., to alter building at 4621 Mission Street. APPLICATION NO. 8001256. Matter was first presented to the Board at regular meeting of February 4, 1981. Request for Rehearing was granted February 25, 1981, and presented at today's meeting for a rehearing. The vote was 3 - 2 to overrule the department, therefore the department was upheld.*

APPEAL NO. 81-56
PAUL BRUSCHERA, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
Imposition of penalty on 3/13/81 for work done without permit at 833 Market Street. APPLICATION NO. 7912356. Board voted 5 - 0 to overrule the department with the following stipulation: (1) that investigation fee be reduced to $300.00;(2) that appellant pay $100.00 permit fee, making a total of $400.00 to be collected.

APPEAL NO. 81-51
ROBERTA GLASER, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
Imposition of penalty on 3/6/81 for work done without permit at 284 Wawona Street. APPLICATION NO. 8011004. Board voted 5-0 to reduce Investigation fee by half making it $191.70, plus the Permit Fee of $42.60, making a total of $234.30 to be collected by the department.

APPEAL NO. 81-55
KAREN REDICK, Appl. vs. ART COMMISSION, Resp.
Denial on March 2, 1981 of certificate to operate as street artist. The Board voted to unanimously overrule the department as it was found that the appellant had not received notification of the meeting to discuss certification. Letter was returned to the Art Commission by the Post Office, but appellant was never notified.

* President Giraudo and Commissioner Guggenhime voted to concur with the department.

APPEAL NO. 81-28

ROBERT WHEELER, dba ESTRELLITA, INC. ADULT THEATER, Appl. vs. SAN FRANCISCO POLICE DEPARTMENT, Resp.

Revocation on 1/28/81 of permit to operate adult theater at 96 Golden Gate Avenue. This matter will be continued until the Board receives an opinion from the City Attorney's office.

APPEAL NO. 81-52

WILLIAM E. HAGUE, Appl. vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Denial on March 11, 1981 of permit to alter building at 1640-20th Street. APPLICATION NO. 8006642. Board voted 4 - 1 to concur with the department. Commissioner Jackson voted to overrule.

APPEAL NO. 81-53

JAN LEJA, Appl. vs. DEPT. PUBLIC WORKS, Resp.

Protesting issuance on 3/6/81 to Charles Glaser of permit to alter building at 284 Wawona Street. APPLICATION NO. 8011004. Board voted 5 - 0 to uphold the department.

DATE: March 25, 1981

LOUIS J. GIRAUDO, President

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, APRIL 1, 1981

Present: President Louis J. Giraudo (Claire C. Pilcher,
Vice-Pres. Agripino R. Cerbatos (Executive Director
Commissioner Mattie Jackson (Doris Levine,
Commissioner Douglas Engmann (Hearing Reporter
Commissioner Richard Guggenhime

(1) The following Request for Rehearing was made by the Art Commission, and granted by the Board for Rehearing on April 8, 1981:

APPEAL NO. 81-50

WILLIAM J. & ROBERT J. CLARK, Appl. vs. S.F. ART COMMISSION, Resp.
Denial on March 2, 1981 of renewal of Street Artist's Certificate.

The following correspondence was presented to the Board:
Letter from Ms. Rosemary Denike DeGregorio regarding Appeal No. 81-17; and answer to Ms. DeGregorio's letter from Executive Director Claire C. Pilcher, dated March 30, 1981.

APPEAL NO. 81-58

JOHN E. WAI, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Resp.
Imposition of penalty 3/19/81 for work done without permit at 33-35 Henway Place. (APPLICATION NO. 8101026)
The Board voted unanimously to reduce the penalty to two times the permit fee ($73.23) for a total to be collected of $146.46.

APPEAL NO. 81-41

MAXWELL'S PLUM RESTAURANT, Appl. vs. DEPT. PUBLIC WORKS, Resp.
FIRE DEPT. DISAPPROVAL
Denial of permit on 2/26/81 to alter building at 900 North Point-Ghirardelli Square. (APPLICATION NO. 8101180) Board voted to make this building exempt from Energy Review as it was a historical Landmark.(See decision for details) The Board also voted unanimously to overrule the department with the following stipulations:(1) that there will be an automatic shut-off system for the sconces in addition to zone shut-off valves. A master manual shut-off valve shall be installed at a location approved by the Fire Department, providing shut off of the entire gas sconce system; (2) that all sconces will be installed with the flame not less than 30" below the restaurant ceiling; (3) that each sconce flame shall be a minimum distance of 6'6" above floor level; (4) that no materials of any kind be attached to the sconce fixtures; (5) that no combustible materials will be hung within a radius of five (5) feet of the sconces; (6) that an independent concern or contractor be placed in charge of a monthly maintenance system; (7) that the gas monitoring system be installed as described by JYA.
A proposed decision will be submitted to the Departments as soon as possible.

APPEAL NO. 81-62

AMES-BILLINGSLEY, INC., Appl. vs. DEPT. PUBLIC WORKS, Resp.
FIRE DEPARTMENT DISAPPROVAL
Denial of permit on 3/23/81 to alter building at 40 Gold Street. (APPLICATION NO. 8102429) The Board voted unanimously to overrule the department with the following stipulations: (1) that the appellant be allowed to use 1/4" wire glass on all windows opening to the fire

escape. The windows provide the necessary 80" openings; (2) the appellant will be allowed to use aluminium in lieu of steel sash.

APPEAL NO. 81-64

EDWARD S. STEPHENSON, Appl. vs. DEPT. PUBLIC WORKS, Resp.
FIRE DEPARTMENT DISAPPROVAL

Denial on 3/19/81 of permit to A.B.M. Parking to alter building at 2715 Hyde Street. The Board voted unanimously to overrule the department and to grant the permit with the following stipulations: (1) that there will be attendant parking only; (2) that the general public will not be allowed below or above the ground level.

The Board also found that this is a Type A garage and is exempt from Section 1109 of the building code.

APPEAL NO. 81-48

ROBERT HAMANN, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Denial on 3/4/81 of permit to alter building at 1024½ Clayton Street (APPLICATION NO. 8100579). This was a rehearing which had been requested by the Department of Public Works and granted by the Board at the regular meeting of March 25, 1981. The Board voted 5 - 0 to overrule the department with the following stipulations: (1) that 80% of the wall between the living room and bedroom be removed; and (2) that a fan be installed in the bathroom.

APPEAL NO. 81-61

SCOPUS CONSTRUCTION CO., Appl. vs. DEPT. PUBLIC WORKS, Resp.

Denial of permit 3/20/81 to alter building at 965 Mission Street. (APPLICATION NO. 8101084). The Board decided to have a site inspection on this property Tuesday, April 7, 1981 at 8:00 a.m. and to continue this appeal until the meeting of April 8, 1981.

APPEAL NO. 81-65

HOWARD ROSFELD, Appl. vs. DEPT. PUBLIC WORKS, Resp.

Denial on 3/23/81 of permit to alter building at 2655 Hyde Street. (APPLICATION NO. 8101767). The Board voted to overrule the department because they find that the solid core doors are upgraded from the present hollow core doors. These solid core doors are equivalent to 3/4 hour fire rated doors, and this meets the intent of the code. The Board added the following stipulation: that the peek-holes be no more than 48" from the ground in order to comply with regulations for the handicapped.

DATE: April 1, 1981

by Agustina R. Cerbatos Vice Pres.
LOUIS J. GIRAUDO, President

Claire C. Pilcher
CLAIRE C. PILCHER, Executive Director

M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, APRIL 8, 1981

Present: Vice-President Agripino R. Cerbatos (Claire C. Pilcher,
Commissioner Mattie Jackson (Executive Director
Commissioner Douglas Engmann (Doris Levine,
Commissioner Richard Guggenhime (Hearing Reporter

Absent: President Louis J. Giraudo

There were no Requests for Rehearing to be presented at this meeting.

APPEAL NO. 81-59

CHARTER CONSTRUCTION CO., Appl. vs. DEPT. PUBLIC WORKS, Resp.
Imposition of penalty 3/19/81 for work done without permit at 333 Fell St. Application No. 8101988.
Commissioner Engmann made the motion to overrule the department with the following stipulation: (1) that the penalty be reduced in half to be $237.50, plus the permit fee of $52.80, totaling $290.40. The Board voted unanimously to agree to Commissioner Engmann's motion.

APPEAL NO. 81-60

CHARTER CONSTRUCTION CO., Appl. vs. DEPT. PUBLIC WORKS, Respl
FIRE DEPT. DISAPPROVAL
Denial of permit 3/20/81 to alter building at 661 Howard Street under Application No. 8101066, and imposition of penalty 3/20/81 for work done without a permit. The Board decided to vote on each issue separately:
(A) Penalty: The Board concurred with the department. Total of $1345.30 to be collected. (Vote of 4-0)
(B) Denial of permit to alter the building: The Board voted 4-0 to overrule the department with the following stipulation
(1) that Computer Learning Center limit the occupancy of the building to 300 students;
(2) that a notice be posted at the entrance of the building stating that this structure will be limited to 300 students.

Board finds that based on the evidence presented, the activity of this school makes this building an F2 occupancy and not under Section 802A of the building code. Ray McDonnell represented the Department in both these appeals.

APPEAL NO. 81-50

WILLIAM J. & ROBERT J. CLARK, Appls. vs. S.F. ART COMMISSION, Resp.
This was a rehearing granted at the request of the Art Commission. Kay Taliafero, President of the Art Commission represented the department. Denial on March 2, 1981 of renewal of Street Artist's Certificate. The Board voted 4 - 0 to uphold the department because they found that the appellants did not take the responsibility to renew their certificate in time and to know the law in effect at that time, and that the department acted within their right.

APPEAL NO. 81-54

CESAR ASCARRUNZ, dba CESAR'S PALACE, Appl. vs.POLICE DEPT., Resp.
Revocation on 3/6/81 of permits to operate as Dance Hall Keeper, Place of Entertainment and Cabaret. The Police Department was represented by Lawrence Wilson of the Legal Department and police officers who were called to testify. Vice-President Cerbatos made the motion that the department be overruled with the stipulation that there be a 30-day suspension of all three permits to give the appellant a chance to

set up a management team. During this suspension the appellant would still be able to operate as a bar and to sell liquor. the vote was 3 - 1 to overrule the department with Commissioner Jackson voting to concur with the department. Because of the 3-1 vote when there were only four commissioners present, this matter will have an automatic rehearing on April 29, 1981. The Police Department was upheld.

APPEAL NO. 81-40

MARC BERGER, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
CITY PLANNING DISAPPROVAL

Denial on 2/17/81 of permit to operate second-hand clothing store at 1431A Castro Street, dba "LOOK SHARP." Presented for further hearing today. Appellant presented some material to show that businesses had been occupying this address. President Cerbatos made the motion to concur with the department as he did not feel enough evidence had been presented. Commissioners Jackson, Engmann, and Guggenhime voted to overrule the department because of affidavits, and because commercial electrical systems had been installed. Because the Board concluded with a 3 - 1 vote, this matter will be automatically scheduled for a rehearing April 29, 1981. The Police Department was upheld.

APPEAL NO. 81-61

SCOPUS CONSTRUCTION COMPANY, Appellant vs. DEPT. PUBLIC WORKS, Resp.
Denial of permit on 3/20/81 to alter building at 965 Mission Street. Application No. 8101084. The Board had completed a site inspection on this property Tuesday, April 7, 1981 at 8:00 a.m. Vice-President Cerbatos with the finding that "substantial work" as defined by the department had not been done. The vote was 4-0 to overrule the department.

APPEAL NO. 81-68

BRAD McDONALD, dba BUDGET HOTEL, Appl. vs. DEPT. PUBLIC WORKS
FIRE DEPARTMENT DISAPPROVAL

Denial on 4/2/81 of permit to alter building at 112 Seventh Street APPLICATION NO. 8102535. The Board voted 4 - 0 to overrule the department as present egress is through windows which are 3'x 4' instead of the 6'8" door specified in the code. As the halls have been sprinklered and the building has been in existence since 1911, the intent of the code has been met.

Date: April 8, 1981

Agripino R. Cerbatos /cp

AGRIPINO R. CERBATOS, Acting President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, APRIL 8, 1981

Present: Vice-President Agripino R. Cerbatos (Claire C. Pilcher,
Commissioner Mattie Jackson (Executive Director
Commissioner Douglas Engmann (Doris Levine,
Commissioner Richard Guggenhime (Hearing Reporter

Absent: President Louis J. Giraudo

There were no Requests for Rehearing to be presented at this meeting.

APPEAL NO. 81-59

CHARTER CONSTRUCTION CO., Appl. vs. DEPT. PUBLIC WORKS, Resp.
Imposition of penalty 3/19/81 for work done without permit at 333 Fell St. Application No. 8101988.
Commissioner Engmann made the motion to overrule the department with the following stipulation: (1) that the penalty be reduced in half to be $237.50, plus the permit fee of $52.80, totaling $290.40. The Board voted unanimously to agree to Commissioner Engmann's motion.

APPEAL NO. 81-60

CHARTER CONSTRUCTION CO., Appl. vs. DEPT. PUBLIC WORKS, Respl
FIRE DEPT. DISAPPROVAL
Denial of permit 3/20/81 to alter building at 661 Howard Street under Application No. 8101066, and imposition of penalty 3/20/81 for work done without a permit. The Board decided to vote on each issue separately:

(A) Penalty: The Board concurred with the department. Total of $1345.30 to be collected. (Vote of 4-0)

(B) Denial of permit to alter the building: The Board voted 4-0 to overrule the department with the following stipulation
(1) that Computer Learning Center limit the occupancy of the building to 300 students;
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Board finds that based on the evidence presented, the activity of this school makes this building an F2 occupancy and not under Section 802A of the building code. Ray McDonnell represented the Department in both these appeals.

APPEAL NO. 81-50

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This was a rehearing granted at the request of the Art Commission. Ray Taliafero, President of the Art Commission represented the department. Denial on March 2, 1981 of renewal of Street Artist's Certificate. The Board voted 4 - 0 to uphold the department because they found that the appellants did not take the responsibility to renew their certificate in time and to know the law in effect at that time, and that the Department acted within their right.

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CESAR ASCARRUNZ, dba CESAR'S PALACE, Appl. vs.POLICE DEPT., Resp.
Revocation on 3/6/81 of permits to operate as Dance Hall Keeper, Place of Entertainment and Cabaret. The Police Department was represented by Lawrence Wilson of the Legal Department and police officers who were called to testify. Vice-President Cerbatos made the motion that the department be overruled with the stipulation that there be a 30-day suspension of all thr permits to give the appellant a chance to

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MARC BERGER, Appl. vs. S.F. POLICE DEPARTMENT, Resp.
CITY PLANNING DISAPPROVAL

Denial on 2/17/81 of permit to operate second-hand clothing store at 1431A Castro Street, dba "LOOK SHARP." Presented for further hearing today. Appellant presented some material to show that businesses had been occupying this address. President Cerbatos made the motion to concur with the department as he did not feel enough evidence had been presented. Commissioners Jackson, Engmann, and Guggenhime voted to overrule the department because of affidavits, and because commercial electrical systems had been installed. Because the Board concluded with a 3 - 1 vote, this matter will be automatically scheduled for a rehearing April 29, 1981. The Police Department was upheld.

APPEAL NO. 81-61

SCOPUS CONSTRUCTION COMPANY, Appellant vs. DEPT. PUBLIC WORKS, Resp.
Denial of permit on 3/20/81 to alter building at 965 Mission Street. Application No. 8101084. The Board had completed a site inspection on this property Tuesday, April 7, 1981 at 8:00 a.m. Vice-President Cerbatos with the finding that "substantial work" as defined by the department had not been done. The vote was 4-0 to overrule the department.

APPEAL NO. 81-68

BRAD McDONALD, dba BUDGET HOTEL, Appl. vs. DEPT. PUBLIC WORKS
FIRE DEPARTMENT DISAPPROVAL

Denial on 4/2/81 of permit to alter building at 112 Seventh Street APPLICATION NO. 8102535. The Board voted 4 - 0 to overrule the department as present egress is through windows which are 3 '. x 4' instead of the 6'8" door specified in the code. As the halls have been sprinklered and the building has been in existence since 1911, the intent of the code has been met.

Date: April 8, 1981

Agripino R. Cerbatos /cp

AGRIPINO R. CERBATOS, Acting President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
APRIL 22, 1981

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The following members of the Board of Permit Appeals were present:

Agripino R. Cerbatos, Acting President
Mattie J. Jackson, Commissioner
Richard J. Guggenhime, Commissioner
Douglas J. Engmann, Commissioner

Claire C. Pilcher, Executive Director
Doris Levine, Hearing Reporter

The following member of the Board of Permit Appeals was absent:

Louis J. Giraudo, President

The following Requests for Rehearing were granted and will be heard at the regular meeting of April 29, 1981:

APPEAL NO. 81-68: BRAD McDONALD, Appl. vs. DEPT. PUBLIC WORKS, Resp.
FIRE DEPARTMENT DISAPPROVAL

Denial of permit April 2, 1981 of permit to alter building at 112-7th St. Rehearing requested by Department of Public Works.

APPEAL NO. 81-54: CESAR ASCARRUNZ, dba CESAR'S PALACE, Appl. vs.. POLICE DEPARTMENT, Resp.

Revocation on March 6, 1981 of permits for Dance Hall Keeper, Place of Entertainment and Cabaret at 3140 Mission Street.
Request for Rehearing granted because matter heard by four-member Board with a vote of 3 - 1 to overrule, and Commissioner Jackson voted to concur with the department.

APPEAL NO. 81-40: MARC BERGER, Appl. vs. POLICE DEPARTMENT, Resp.
CITY PLANNING DISAPPROVAL

Denial on February 17, 1981 of permit to operate a second-hand store at 1431A Castro Street, dba "LOOK SHARP." Request for rehearing granted because matter heard by four-member Board with a vote of 3 - 1 to overrule the department, with Acting President Cerbatos voting to concur with the department.

The following request for rehearing was not granted, although requested by the Department of Public Works.

APPEAL NO. 81-40

SCOPUS CONSTRUCTION COMPANY, Appl. vs. DEPT. PUBLIC WORKS, Resp.

APPEAL NO. 81-5

QUINTA MUGNANI, Appellant vs. DEPT. PUBLIC WORKS, Resp.
Protesting issuance of permit to Randall Nathan to alter building at 242 Francisco St. APPLICATION NO. 8002954. Presented for further hearing today. Was first heard at regular meeting of January 21, 1981. Site Inspection held on February 3, 1981. Meeting has been postponed several times due to Mr. Nathan's disabilities. The Board voted 4-0 to overrule the department and to deny the permit, as the Board felt the permit had been issued in error.

APPEAL NO. 81-57

MAX E. BENSON, Appellant vs. DEPT. PUBLIC WORKS, Resp.
Protesting issuance on 3/11/81 of permit to James Logan to alter building at 4248 - 18th Street. APPLICATION NO. 8001487. The Department was represented by Stanley Spears. Vote was 3 - 1 to concur with the department. Commissioner Engmann voted to overrule the department. The department will issue said permit.
The appellant, Max Benson was represented by Rick Stokes, Esq.

APPEAL NO. 81-76

TAKEN OUT OF ORDER:
DANIEL G. VOLKMANN, Jr., Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on April 14, 1981 of permit to alter building at 2616 Union Street.
APPLICATION NO. 8101411.
The Board voted 4 - 0 to overrule the department, with the stipulation that the code requirement that the decking be covered be complied with by covering the deck with felt and tile. The department was represented by Mr. Stanley Spears. Mr. Volkmann represented himself.

APPEAL NO. 81-69

DENNIS BECKMAN, Appellant vs. Department of Public Works, Respondent
Protesting issuance on April 2, 1981 of permit to Rudy Columbini to alter building at 1994-98 Union Street. The permit holder, Rudy Columbini was not represented, therefore, the Board voted 4 - 0 to overrule the department and to deny the permit.

APPEAL NO. 81-70

PHILIP ADAMS, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL
Cancellation on March 26, 1981 of permit to alter building at 2170 Jackson Street.
APPLICATION NO. 8101806. Department of Public Works was represented by Mr. Stanley Spears; Fire Department was represented by Captain Mahoney. The Appellant represented himself. The Board voted 4 - 0 to concur with the department and not to reclassify the building as a CLASS 1 building.

APPEAL NO. 81-71

FRED UCLUSIN, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
Notice to Abate Plumbing Nuisance and imposition of penalty on April 7, 1981 for work done without a permit at 2301 - 44th Avenue.
Board voted 4 - 0 to overrule the department with the following stipulations:
(1) that appellant will bring work up to code, and (2) that the department will collect 2 x permit fee of $27.75 for a total of $55.50.
The department was overruled because the Assessor's office lists building as two story and basement, and plastic pipe is allowed in this size building.

APPEAL NO. 81-73

DANIEL ALTMAN, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
Imposition of penalty on April 7, 1981 for work done without a permit at 4102-25th Street.
Board voted 4 - 0 to overrule the department with the stipulation that the Appellant pay 2 x the permit fee. Permit fee was $52.80 x 2 = $105.60.

APPEAL NO. 81-75

JOSEPHINE F. MADERA, Appellant vs. DEPARTMENT OF PUBLIC HEALTH, Respondent
CITY PLANNING DISAPPROVAL
Denial on April 6, 1981 of permit to operate a restaurant at 1198 Treat Avenue.
Acting President Cerbatos made the motion to overrule with the finding that the Appellant had made substantial effort to seek occupants of the space in question.
The vote was 4 - 0 to overrule the department.

APPEAL NO. 81-V36

LOIS A. CUMMINGS, Appellant vs. ZONING ADMINISTRATOR, Respondent
Protesting issuance on February 9, 1981 of variance to Axel Olson regarding property at 1501-05 Willard Street. Negative Declaration accepted by 4 - 0 vote.
The Board voted 4 - 0 to concur with the department and grant the permit.

DATE: April 22, 1981

AGRIPINO R. CERBATOS, Acting President

CLAIRE C. PELOSKEY, Executive Director

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
APRIL 29, 1981

The following members of the Board of Permit Appeals were present:

Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

(Claire C. Pilcher
(Executive Director
(Doris Levine
Hearing Reporter

APPEAL NO. 81-41

MAXWELL'S PLUM RESTAURANT, Appl. vs. DEPT. PUBLIC WORKS, Resp.
FIRE DEPARTMENT DISAPPROVAL

This matter was presented as a request for rehearing. (See letter of 4/29/81) However, at this time, Stephen K. Cassidy as attorney for Maxwell's International, Inc. presented the compromise agreement with the departments and the stipulations are as follows: (1) that there will be an automatic shut-off of the entire gas sconce system: (2) that all sconces will be installed with the flame not less than 30" below the restaurant ceiling; (3) that each sconce flame shall be a minimum distance of 6'6" above the floor level; (4) that no materials of any kind shall be attached to the sconce fixtures; (5) that no combustible materials will be hung within a radius of five (5) feet above the gas sconce flame; (6) that an independent concern or contractor be placed in charge of the monthly maintenance system and that a notice satisfactory to the Bureau of Building Inspection and sufficient to give constructive notice of this maintenance requirement will be recorded in the official records of the City and County of San Francisco; (7) that no sconce will be installed closer than six inches (6") from any combustible wall material; (8) that prior to use, the gas sconce system (including the sensing devices) will be inspected, tested, and certified to the Bureau of Building Inspection by a licensed engineer; (9) that a full-time employee will be assigned to the maintenance and operation of the gas sconces during such time as they are in operation; (10) that the gas monitoring system be installed as described by JYA, subject to necessary modifications to conform to field conditions and required review and approval thereof by the Bureau of Building Inspection and Fire Marshall.

The Board voted 5 - 0 to overrule the department and to grant said permit with these stipulations.

APPEAL NO. 81-67

BARRETT RAVENSCRAFT, dba "THE TOWN PUMP", Appl. vs. S.F. POLICE DEPT., Resp.
Revocation on March 17, 1981 of permit to operate as Dance Hall Keeper, Place of Entertainment, and Billiard Parlor at 2196 Mission Street.
George T. Choppelas, attorney, represented the appellant. Lawrence Wilson represented the Police Department. The Board voted 5 - 0 to overrule the department with the following stipulations: (1) that the establishment be placed on a six-month probation period; (2) that a person be placed at the door to check identifications during the period of probation; and (3) that a sign be posted stating that gambling is not allowed on the premises.

APPEAL NO. 81-40

MARC BERGER, Appl. dba LOOK SHARP vs. SAN FRANCISCO POLICE DEPARTMENT, Resp. CITY PLANNING DISAPPROVAL

Denial on February 17, 1981 of permit to operate second-hand store at 1431A Castro St. Karen King spoke for Marc Berger. Dan Sullivan represented City Planning. This was a Rehearing. The Board voted 5 - 0 to concur with the department.

APPEAL NO. 81-54

CESAR ASCARRUNZ, dba CESAR'S PALACE vs. SAN FRANCISCO POLICE DEPARTMENT, Resp.

Revocation on March 6, 1981 of permit to operate as dance hall keeper, place of entertainment, and cabaret.

Jack Berman, attorney, represented the appellant and Lawrence Wilson spoke for the Police Department. This was a rehearing. The Board voted 5 - 0 to overrule the department with the following stipulations: (1) that there be a 30-day suspension of the cabaret, entertainment, and dancehall permits; (2) that three uniformed security guards be present during the operation of all the permits; (3) that alarms be placed on exit doors other than the main entrance; and (4) that there be two monitors on the premises to insure that there is no unauthorized entrance.

APPEAL NO. 81-66

FRANK P. BERTOLUCCI, dba BOULEVARD INN, Appl. vs. SAN FRANCISCO POLICE DEPT., Resp. DEPT. PUBLIC WORKS DISAPPROVAL

Denial on March 10, 1981 of permit to operate mechanical amusement devices at 4000 Geary Boulevard.

Lawrence Pines, Esq. represented the appellant, and Lawrence Wilson presented the case for the Police Department. The Board voted 5 - 0 to overrule the department with the following stipulations: (1) that the number of games be restricted to 12 mechanical devices; (2) That the premises be established as a bar, and there will be no entrance to that bar on Fourth Avenue, and the permits will be directly tied to the bar.

APPEAL NO. 81-83

SYDNEY J. GABRIEL, dba "CARLOS N'PANCHO'S" vs. SAN FRANCISCO POLICE DEPT., Resp.

Denial on April 13, 1981 of place of entertainment permit at 3565 Geary Boulevard. The appellant represented himself and Lawrence Wilson spoke for the Police Department. The Jordan Park Association was represented by Irene Young who spoke on behalf of the department. The vote was 3 - 2 to concur with the department with Vice President Nerbatos and Commissioner Jackson voting to overrule. The department was upheld.

APPEAL NO. 81-78

CHARLES P. HAGNER, Appl. vs. DEPT. PUBLIC WORKS, Resp.

Denial on April 16, 1981 of permit to alter a building at 2226 Divisadero Street under APPLICATION NO. 8100798l. The Board voted 5 - 0 to uphold the department.

APPEAL NO. 81-68

BRAD McDONALD dba BUDGET HOTEL, Appl. vs. DEPT. PUBLIC WORKS, Resp. FIRE DEPARTMENT DISAPPROVAL

Denial on April 2, 1981 of permit to alter building at 112-7th Street under APPLICATION NO. 8102535. This matter was a rehearing at the request of the Department of Public Works. The vote was 5 - 0 to overrule the department with the stipulation that a step that is legal be installed at the window in the corridor not to exceed 8 inches in height.

APPEAL NO. 81-82

DAVID SERXNER, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.

Denial on April 17, 1981 of permit to alter building at 929 Ashbury Street under APPLICATION NO. 8100577.

The vote was 5 - 0 to overrule the department with the stipulation that (1) a platform be built as shown in the drawing, and (2) a sun-gar ladder be installed.

APPEAL NO. 81-79

CAL NEON & GEORGE WALTER, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Denial on April 13, 1981 of permit to erect a sign at 695 Bryant Street under APPLICATION NO. 8100940. Dan Sullivan represented the department. The Board voted 5 - 0 to concur with the department.

APPEAL NO. 81-80

ALLEGRA HULL, dba ALLMAK, Appl. vs. ZONING ADMINISTRATOR, Respondent

Determination of the Zoning Administrator dated April 7, 1981 regarding property at 860 Arguello Boulevard. The Board voted 5 - 0 to concur with the department.

APPEAL NO. 81-81

ALLEGRA HULL, dba ALLMAK, Appl. vs. ZONING ADMINISTRATOR, Resp.

Determination of the Zoning Administrator dated April 7, 1981 regarding property at 652 Stanyan Street. The Board voted 5 - 0 to concur with the department.

RON OLIVA, dba HAYES STREET GRILL, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
FIRE DEPARTMENT DISAPPROVAL

Denial on April 20, 1981 of permit to alter building at 320 Hayes Street. APPLICATION NO. 8100552.
President Louis Giraudo disqualified himself from hearing this matter. Vice President Cerbatos heard this appeal. The Board voted 4 - 0 to overrule the department with the following stipulations: (1) that all property line construction for the subject building will be two-hour fire rated; and (2) all openings between 320 and 324 Hayes Street shall have three-hour rated doors.

APPEAL NO. 81-87

ROGER BENSON, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.

Denial on April 21, 1981 of permit to alter a building at 3363 Washington Street. APPLICATION NO. 8102539. The board voted 5 - 0 to overrule the department and grant the permit with the finding that this is not a fence, but is a wall.

DATE: April 29, 1981

LOUIS J. GIRAUDO, PRESIDENT

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

MATTERS FOR CONSIDERATION
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, APRIL 29, 1981

Requesting the Board to take jurisdiction beyond the ten-day appeal period:

(1) Letter from Claire C. Pilcher explanation of request

(2) Letter from Richard R. Cleverly

(3) Copy of Notification of Structural Addition from Department of Public Works.

(4) Letter from permit holder of 710 Sansome Street, Ed Richardson.

REQUESTS FOR REHEARING:

APPEAL NO. 81-41: MAXWELL'S PLUM RESTAURANT vs. DEPT. OF PUBLIC WORKS, Resp.
Appellant
FIRE DEPARTMENT DISAPPROVAL

Denial of permit on 2/26/81 to alter building at 900 North Point Ghirardelli Square. Presented to Board at regular meeting of April 1, 1981. Vote was 5-0 to overrule the department with stipulations.

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

MAY 6, 1981

The following members of the Board of Permit Appeals were present:

Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

(Claire C. Pilcher
(Executive Director

(Doris Levine
(Hearing Reporter

The following requests for rehearing were heard:

APPEAL NO. 81-5: QUINTA MUGNANI, Appl. vs. DEPT. PUBLIC WORKS, Resp. Protesting issuance of permit on January 5, 1981 to Randall Nathan to alter building at 242 Francisco Street. APPLICATION NO. 8002854. There was no motion made by the Board, therefore this matter will not be heard.

APPEAL NO. 81-57: MAX E. BENSON, Appl. vs. DEPT. PUBLIC WORKS, Resp. Protesting issuance on 3/11/81 of permit to James Logan to alter building at 4248-18th Street. Request for rehearing granted and will be calendared for rehearing at regular meeting of May 27, 1981.

The following were requests for the Board of Permit Appeals to take jurisdiction beyond the ten-day period. Both requests were denied:

Letter from David and Maralyce McCarville regarding 2301 Scott Street.

Letter from NIBBI BROTHERS regarding imposition of ten times penalty APPLICATION NO. 8008474.

APPEAL NO. 9001

RITA J. ROBERTS/PAUL ANDERSON, Appl. vs. POLICE DEPARTMENT, Resp. Revocation of permit on August 27, 1980 to operate a massage establishment "LA BELLA MASSAGE" at 451 O'Farrell Street. REMAND FROM SUPERIOR COURT.
The Board voted 5 - 0 to concur with the department.

APPEAL NO. 81-72

MUNZER A. DAJANI, Appl. vs. POLICE DEPARTMENT, Resp. Revocation on March 31, 1981 of permit to operate a taxicab. The Board voted 4 - 1 to overrule the department with the stipulation that the permit be suspended for three months. Commissioner Guggenhime voted to concur with the department.

APPEAL NO. 81-94

LOUIS J. TASSONE, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp. CITY PLANNING DISAPPROVAL
Protesting issuance on 4/17/81 of permit to Edzel Musni to alter building at 240 Randall Street. APPLICATION NO. 8101973.

The Board voted 5 - 0 to overrule the department as this permit was issued in error. (See letter from Robert Passmore dated May 5, 1981). The permit could be issued with the following stipulations: (1) that the regulation five-foot setback be observed; (2) that all the intents of the Planning Code be met; and (3) that these conditions be incorporated to modify the permit.

APPEAL NO. 81-101

SHEW MING LOUIE, Appellant vs. SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS, Resp.
Protesting issuance of permit on April 15, 1981 to Mr. & Mrs. Yee to alter a building at 680 Lombard Street. APPLICATION NO. 8101822.
The Board voted 5 - 0 to concur with the department with the following stipulations: (1) that this building will be three units only; (2) that there will only be three levels of living area; (3) that the deed of the property will be recorded to show only three units.

APPEALS NOS. 81-88/81-89/81-90/81-91/81-92/ and 81-93.

TERMINAL PLAZA CORPORATION, Appellant vs. SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS, CITY PLANNING DISAPPROVAL

APPEALS NOS. 81-95/81/96/81-97/ 81-98/81-99/81-100.

ITT WORLD COMMUNICATION, INC., vs. DEPARTMENT OF PUBLIC WORKS, Resp.
ITT ELECTRONIC TRAVEL SERVICES, INC., Appl. CITY PLANNING DISAPPROVAL

In these appeals, the Board accepted the Environmental Impact Report. Alice Barkley represented the City Attorney's office; ITT WORLD COMMUNICATIONS was represented by Michael Burke, Esq. of the law firm of Ellman, Passovoy & Burke. TERMINAL PLAZA CORPORATION was represented by William Falik, Esq. of the law firm of Colvin, Martin & Links. The Permit Holder: FIVE FREMONT CENTER was represented by Robert C. Herr, attorney with the firm of Pillsbury, Madison & Sutro.
The decisions are attached for further information.

DATE: May 6, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

Attachments

M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS
May 13, 1981

The following members of the Board of Permit Appeals were present:

Louis J. Giraudo, President	(Claire C. Pilcher
Agripino R. Cerbatos, Vice President	(Executive Director
Mattie J. Jackson, Commissioner	
Douglas J. Engmann, Commissioner	(Doris Levine
Richard J. Guggenhime, Commissioner	(Hearing Reporter

The following requests for rehearing were presented to the Board and were granted. Will be calendared for rehearing at the regular meeting of May 27, 1981:

APPEAL NO. 81-83: SYDNEY J. GABRIEL, dba CARLOS N'PANCHO'S, Appl. vs. POLICE DEPARTMENT, Resp.
Denial on April 13, 1981 of permit to operate place of entertainment at 3565 Geary Boulevard.

APPEAL NO. 81-87: ROGER BENSON, Appl. vs. DEPT. PUBLIC WORKS, Resp.
Denial on April 21, 1981 of permit to alter building at 3363 Washington St. Request for Rehearing was made by the Department of Public Works. APPLICATION NO. 8102539.

APPEAL NO. 81-85: RON OLIVA, dba HAYES STREET GRILL, Appl. vs. DEPT. PUBLIC WORKS, Resp. FIRE DEPT. DISAPPROVAL
Denial on April 20, 1981 of permit to alter building at 320 Hayes Street. APPLICATION NO. 8100552.

APPEAL NO. 81-103

MYRA PAK, Appellant vs. DEPARMENT OF PUBLIC WORKS, Resp.

Mrs. Pak was unable to be present but was represented by her neighbor, Dr. Owens. After discussion by the Department of Public Works and Dan Sullivan of the City Planning Department, the Board voted to concur with the department and issue the permit with the following stipulation: that along the property line wall on each side abuting the adjoining property, that shingling be placed over the redwood siding for the purpose of making the house attractive.

APPEAL NO. 81-109

GORDON A. PHILLIPS, Appellant vs. DEPARMENT OF PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Denial on May 5, 1981 of permit to alter building at 3931 - 19th Street. Board voted 5 - 0 to concur with the department, after discussion by both sides.

APPEALS NOS. 81-105/ 81-106/ and 81/107

ANGELO SANGIACOMO, Appellant dba TRINITY PROPERTIES vs. DEPARMENT OF PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Denial on May 4, 1981 of permits to erect buildings at 575/575A, 577/577A, and 579/579A Twenty-Seventh Street. APPLICATIONS NOS. 7907774, 79907775, 79907776. These three appeals were presented to the Board to be heard together. Nicholas Damer, Esq. represented the Appellant and Dan Sullivan spoke for City Planning. The Board voted 3 - 2 to concur with the department. President Giraudo and Commissioner Guggenhime voted to overrule the department. Therefore the resolution stands as stated.

Date: May 13, 1981

CLAIRE C. PILCHER, Executive Director

LOUIS J. GIRAUDO, President

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, MAY 27, 1981

The following requests for rehearing were presented to the Board:

APPEAL NO. 9001: RITA J. ROBERTS/PAUL ANDERSON vs. S.F. POLICE DEPT., Resp.
dba LA BELLA MASSAGE, Appl.
Revocation of permit to operate a massage establishment at 451 O'Farrell Street. Request for Rehearing was denied.

APPEAL NO. 81-103: MYRA PAK, Appl. vs. DEPT. PUBLIC WORKS, Resp.
Protesting issuance on 4/21/81 of permit to erect building at 1906-20th Street by Narraganset Trading Company. APPLICATION NO. 8006095. Request for Rehearing denied.

APPEAL NOS. 81-105/106/107: ANGELO SANGIACOMO, dba vs. DEPT. PUBLIC WORKS, Resp.
TRINITY PROPERTIES CITY PLANNING DISAPPROVAL
Denial on 5/4/81 of permit to build at 577-577A, 575-575A; and 579-579A- 27th Street under APPLICATIONS NOS. 7907774/7907775/7907776. Request for rehearing denied.

APPEAL NOS. 81-95 thru 100: ITT WORLD COMMUNICATION, INC. vs. DEPT. PUBLIC WORKS, Resp.
ITT ELECTRONIC TRAVEL SERVICES CITY PLANNING APPROVAL
Protesting issuance on 4/16/81 of permits to FIVE FREMONT CENTER ASSOCIATION for site permit to 50 Fremont Street, and demolition permits for 50-60/62/70 Fremont Street, and 400 Mission Street. Request for rehearing denied.

APPEAL NO. 81-110

EARL L. SIMMINS, Appl. vs. POLICE DEPARTMENT, Resp.
Denial on 5/7/81 of Peddler's Permit to operate penny-stamping machine at Powell and Market Streets.
Lawrence Wilson represented the Police Department. Mr. David P. Roche was the attorney for the appellant. After a short discussion and showing of pictures of the corner involved by Mr. Roche, the Board voted 4 - 1 to uphold the department. Commissioner Guggenhime voted to overrule the department.

APPEAL NO. 81-114

JASON CHRISTOBLE, dba HOLY CITY ZOO, Appl. vs. POLICE DEPARTMENT, Resp.
Sgt. Macauley of the Police Department stated that this was a very well-run establishment, but all the bars on Clement Street close at 2:00 a.m. Mr. Christoble stated that his attorney could not be present and asked for a continuance until June 3, 1981. The Board granted the continuance.

APPEAL NO. 81-112

TWYLA G. WILLIS, Appl. vs. POLICE DEPARTMENT, Resp.
HEALTH DEPT. DISAPPROVAL
FIRE DEPT. DISAPPROVAL
Denial on 4/12/81 of permit to operate as pushcart peddler at southwest corner of Castro and Market. The Police Department was represented by Sgt. Anderson and Captain Mahoney represented the Fire Department. William Wong spoke on behalf of the Health Department. Steven Block represented the appellant. The Board decided to hold a site inspection at the corner of Castro and Market Streets at 5:00 p.m., Friday, May 29, 1981, and to continue the matter to the meeting of June 3, 1981.

APPEAL NO. 81-77 and 81-66

JACK L. THORP/MARY RAHMER, Appellants vs. DEPT. PUBLIC WORKS, Resp.
Protesting issuance on 4/10/81 of permit to Dale Edwards to alter building at 731 Rhode Island Street. APPLICATION NO. 44414. The appellants were represented by Justice John Molinari. The attorney for the permit holder, Dale Edwards, was Stephen Bedrick. This was a hearing on legal issues only. After a lengthy discussion by the attorneys, it was decided to have a site inspection on June 9, 1981 at 8:00 a.m. and to continue the matter to be decided on the merits of the case on June 10, 1981. The Executive Director pointed out that the Board did not have the authority to

dismiss the appeal as requested by Stephen Bedrick. Commissioner Guggenhime requested that the attorneys submit briefs to the Commissioners before the meeting of June 10, 1981.

APPEAL NO. 81-85

RON OLIVA, dba HAYES STREET GRILL, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp. FIRE DEPT. DISAPPROVAL

Denial on April 20, 1981 of permit to alter building at 320 Hayes Street. APPLICATION NO. 8001487. The Board decided to continue this appeal to the regular meeting of June 3, 1981, to give the appellant and the Fire Department and the Department of Public Works a chance to work out a solution.

APPEAL NO. 81-108

ROBERT LEE SMITHTON, Appl. vs. DEPT. OF PUBLIC WORKS, Resp. CITY PLANNING DISAPPROVAL

Ray McDonnell represented Public Works, and Dan Sullivan represented City Planning. The Board voted unanimously, after discussion by both sides, to overrule the department, with the following stipulation: That Mr. Smithton will level the curb line to make a legal parking space.

APPEAL NO. 81-104

S. OSBORN ERICKSON, Appl. vs. ZONING ADMINISTRATOR, Resp.

Denial on 4/28/81 of permit to alter building at 2168/70 Pacific Avenue. APPLICATION NO. 8100539. After some discussion, the Board voted 5-0 to concur with the Department.

APPEAL NO. 81-113

ARTHUR FORMANEX, dba THE PIERHEAD, Appl. vs. DEPT. OF PUBLIC HEALTH, Appl.

Denial of permit to operate food establishment at 780 Embarcadero. The appellant was represented by Mr. John Brosman, plumbing contractor, and Mr. William Wong spoke on behalf of the Health Department. The Board voted 4 - 0 to concur with the department. (Commissioner Engmann left before the vote).

APPEAL NO. 81-117

REGINALD BYRNE, Appl. vs. DEPT. OF PUBLIC WORKS, Resp. CITY PLANNING DISAPPROVAL

Protesting issuance on 5/7/81 of permit to Paulino Copado to alter building at 1740/42/44 Union Street. APPLICATION NO. 8103801.
Derek Jacobson, Attorney, represented the appellant. After some discussion, the Board voted 4-0 to concur with the department and to uphold the permit.
(Commissioner Engmann was not present for the vote.

DATE: May 27, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

MINUTES OF JUNE 3, 1981
MEETING OF THE BOARD OF PERMIT APPEALS

JUL 10 1981

Present: Louis J. Giraudo, President (Claire C. Pilcher
Agripino R. Cerbatos, Vice President (Executive Director
Commissioner Mattie Jackson
Commissioner Douglas J. Engmann (Doris Levine
Commissioner Richard J. Guggenhime (Hearing Reporter

Also present were: Stanley Spears, Department of Public Works; Lawrence Wilson, representing the Police Legal Department; Dan Sullivan, representing the City Planning Department.

APPEAL NO. 81-122

WILET'S ELECTRIC COMPANY, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
Imposition of penalty on May 12, 1981 for Electrical work done at 2570 Bush Street and 3643 Balboa Street without a permit.
Each of these addresses was voted on separately: a 4 - 1 vote to concur with the Department on the 2570 Bush Street property, with Commissioner Guggenhime voting to overrule the department. The vote on the 3643 Balboa property was unanimous to overrule the department with the following stipulation: that the penalty fee of $362.10 will be reduced by half, making it $181.05, plus the permit fee of $146.05, for a total due of $327.10.

APPEAL NO. 81-83

SYDNEY J. GABRIEL, dba CARLOS N. PANCHO'S, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent
Denial on April 13, 1981 of place of entertainment permit at 3565 Geary Boulevard.
This matter was presented to the Board for Rehearing. George Choppelas, Esq. spoke for the Appellant. Mr. Wayne Canterbury, Attorney, represented the Jordan Park Improvement Association. The Board voted unanimously to overrule the department with the following stipulations: (1) Permit will be granted for a six-month period; (2) Carlos N'Pancho's will be open on Monday, Thursday, Friday and Saturday from 9:00 p.m. to 1:00 a.m. the following morning; (3) Contracts will be maintained with the valet services at the Texaco Station at Geary and Stanyan and the Pier One parking lot at 3535 Geary Boulevard.; (4) That patrons' parking will be prominantly advertised, both on the interior and exterior of the premises.

APPEAL NO. 81-121

NELS MARTIN, JR. dba J & M DISCO, Appl. vs. SAN FRANCISCO POLICE DEPT., Resp.
Denial on May 12, 1981 of permit to operate cabaret and after-hours dancing at 4445 - Third Street.
Mr. Martin spoke of his concerns regarding the need for this permit. Lawrence Wilson, Esq. represented the Police Department. Also, a number of neighbors spoke for the Police Department. The Board then voted unanimously to concur with the department.

APPEAL NO. 81-116

BEATRICE FITZGERALD, Appl. vs. SAN FRANCISCO POLICE DEPT., Resp.
Protesting issuance on May 12, 1981 of peddler's employee permit to Marion M. Garig to operate a food truck for SUN COUNTRY PRODUCE at 19th Avenue & Ulloa Streets.
Mrs. Fitzgerald presented her concerns regarding safety and traffic flow. Mr. Lawrence Wilson represented the Police Department. The Board then voted 4 - 1 to concur with the Department with Commissioner Engmann voting to overrule the department.

MINUTES OF THE JUNE 3, 1981
MEETING OF THE BOARD OF PERMIT APPEALS

APPEAL NO. 81-57

MAX BENSON, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.

Protesting issuance on March 11, 1981 of permit to James Logan to alter building at 4248 - 18th Street. APPLICATION NO. 8001487.

Earl Rick Stokes, Esq. represented the appellant. the permit holder, James Logan, was represented by Peter Bagatelos, Esq. This matter was brought to the Board for Rehearing. The Board heard testimony from both sides and from Stanley Spears, representing the department. They then voted 4 - 1 to uphold the department. Commissioner Engmann voted to overrule the department.

APPEAL NO. 81-85

RON OLIVA, dba HAYES STREET GRILL, Appl. vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on April 20, 1981 of permit to alter building at 320 Hayes Street. APPLICATION NO. 8100552.

This appeal was presented to the Board for further rehearing/ Mr. Seth Curlin represented the appellant. He stated that he and the appellant had decided to stipulate that the original proposed decision would be acceptable in order that they might get the work underway. The vote had been unanimous to overrule the department with the following stipulations: (1) that all property line construction for the subject building will be two-hour fire rated; and (2) all openings between 320 and 324 Hayes Street shall have three-hour fire rated doors.

APPEAL NO. 81-115

JOHN O'CONNELL, dba RYAN & O'CONNELL, Appl. vs. DEPT. PUBLIC WORKS, Respondent

Denial of permit to alter building at 1466 - 20th Avenue. APPLICATION NO. 8102017.

Mr. O'Connell represented himself. Mr. Stanley Spears represented the department. The Board voted unanimously to overrule the department with the stipulation that the decks in question will conform with the new plans (Exhibit A).

APPEAL NO. 81-119

ALESSIO PAVONE, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.

Mr. Pavone stated his objections to the plans of the permit holder, Mr. Jeffrey Weil. Mr. Weil stated his reasons for building. The Board then voted 5 - 0 to concur with the Department.

APPEAL NO. 81-120

JAMES HART, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.

Protesting issuance of permit to Mary Lake on May 15, 1981 to alter a building at 154 Marietta Drive.

Mr. Hart was represented by William F. O'Byrne, Esq. Mrs. Mary Lake, the permit holder, stated her views. The Board then voted 5 - 0 to concur with the department.

APPEAL NO. 81-102

JACK L. PHILLIPS, Appl. vs. ZONING ADMINISTRATOR, Resp.

Denial on April 16, 1981 of permit to alter building at 865 - 69 Clayton Street. APPLICATION NO. 8007359. Dan Sullivan represented the Zoning Administrator. Mr. Phillips spoke on his own behalf. The Board then voted 5 - 0 to concur with the department.

APPEAL NO. 81-123

JEFFREY E. LITKE, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

The City Planning Department was represented by Dan Sullivan; Mr. Spears for the Department of Public Works, and Mr. Litke for himself. The Board then

MINUTES OF THE JUNE 3, 1981
MEETING OF THE BOARD OF PERMIT APPEALS

voted unanimously to concur with the department.

DATE: June 3, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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JUL 10 1981

M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, JUNE 10, 1981

Present: Louis J. Giraudo, President (Claire C. Pilcher
Agripino J. Cerbatos, Vice President (Executive Director
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner (Doris Levine
Richard J. Guggenhime, Commissioner (Hearing Reporter

APPEAL NO. 81-87

ROGER BENSON, Appl. vs. DEPT. PUBLIC WORKS, Resp.
Denial on April 21, 1981 of permit to alter building at 3363 Washington Street. APPLICATION NO. 8102539.
This appeal was presented to the Board for a rehearing. At the request of Judge Drewes (permit holder) the Board decided to continue the matter to the meeting of June 23, 1981.

APPEAL NO. 81-28

ESTRELLITA, INC. ADULT THEATRE, Appl. vs. POLICE DEPT., Resp.
Revocation on January 30, 1981 of permit to operate adult theatre at 96 Golden Gate Avenue. It was decided to hold a special meeting for the hearing of this matter on July 13, 1981.

APPEAL NO. 81-112

TWYLA G. WILLIS, Appl. vs. POLICE DEPARTMENT, Respondent
HEALTH DEPARTMENT DISAPPROVAL
FIRE DEPARTMENT DISAPPROVAL

Denial on May 7, 1981 of permit to operate as pushcart peddler at southwest corner of Castro and Market Streets.
Lawrence Wilson spoke on behalf of the Police Department. Mr. Steve Block spoke for the appellant. The Board voted 5 - 0 to overrule the department, with the following stipulations: that the Health Department conditions will be met; (2) that Mr. Block will construct the cart so that it meets all conditions of the code.

APPEAL NO. 81-77 and 81-86

JACK L. THORP/MARY RAHMER, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Respondent
Protesting issuance on April 10, 1981 of permit to Dale Edwards to alter building at 731 Rhode Island Street. APPLICATION NO. 444414.
Justice Molinari represented the appellants in this action. Stanley Spears spoke on behalf of the the department. After some discussion, the Board voted 5 - 0 to uphold the department in both these appeals, with the stipulation that the building will be no higher than 29' 2".

The following appeals all had Mr. Stanley Spears representing the department:

APPEALS NOS. 81-137; 81-138; 81-139.

JONATHAN BULKLEY, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
Denial of permit on June 3, 1981 to build at the following addresses:

1134-45 Divisadero Street	- APPLICATION NO. 8102061
1901 Eddy Street	- APPLICATION NO. 8102062
1909/11 Eddy Street	- APPLICATION NO. 8102063

Mr. Bulkley presented his cases to the board and showed the architect's drawings of the property. After the presentation by both sides, the board voted 3 - 2 to uphold the department. Commissioners Jackson and Engmann voted to concur with the department. As it requires four votes to overrule the department, these appeals were denied.

MINUTES OF THE BOARD OF PERMIT APPEALS MEETING OF JUNE 10, 1981

APPEAL NO. 81-129

FRED R. WINN, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.

Imposition of penalty on May 29, 1981 for work done on property located at 3901-19th St. APPLICATION NO. 8102424.

Following an explanation by Mr. Winn, the Board voted 5-0 to overrule the department, and to reduce the penalty fee in half, plus the permit fee of $52.80, making a total of $290.40.

APPEAL NO. 81-130

TOMMIE FREELAND, dba TOMMIE'S ELECTRIC, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.

Imposition of penalty on June 1, 1981 on property located at 145 Justin Street. After some discussion between Mr. Freeland and Mr. Spears, the board voted to overrule the department with the stipulation that the department collect two times the permit fee of $26.00, for a total of $52.00.

The following appeals were all voted unanimously by the board to reduce the penalty to two times the permit fee.

APPEALS NOS. 81-124/81-125/81-126/81-127/ 81-128.

DONALD WONG, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

After some discussion by Mr. Wong, and the department's representative, Mr. Spears, presenting his views, the board voted unanimously as follows:

APPEAL NO. 81-124	Permit Fee of $7.80 x 2	= $15.60	(2446 Leavenworth)
APPEAL NO. 81-125	" " " 8.00 x 2	= 16.00	(7333 Geary Street)
APPEAL NO. 81-126	" " " 58.00 x 2	= 116.00	(5450 Fulton Street)
APPEAL NO. 81-127	" " " 18.20 x 2	= 36.40	(356 Greenwich St.)
APPEAL NO. 81-128	" " " 34.20 x 2	= 68.40	(2137/39 Lincoln Way)

The department to collect a total of: $252.40

APPEALS NOS. 81-131/81-132/81-133.

HANS MERZENICH, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Imposition of penalty on June 10, 1981 on the following properties:

APPEAL NO. 81-131	Permit Fee of $ 4.50 x 2	=$ 9.00	(3800 Scott Street)
APPEAL NO. 81-132	Permit Fee of $12.50 x 2	= 25.00	(1849 Lyon Street)
APPEAL NO. 81-133	Permit Fee of $20.25 x 2	= 40.50	(242 Cole Street)

The department to collect a total of: $74.50

APPEAL NO. 81-135

DIANNA TRUSCHKE, dba TRUSCHKE ELECTRIC vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Imposition of penalty on work done at 359 Teddy Street. Ms. Truschke represented herself. Mr. Spears spoke for the department. The board then voted 5-0 to overrule the department with the interpretation that the appellant was refused the right to sign the affidavit and this fine would be considered paid. She would be assessed $84.95 for the electrical permit only.

APPEAL NO. 81-134

DIANNA TRUSCHKE, dba TRUSCHKE ELECTRIC, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.

Imposition of penalty on work done at 701 Shields Street. The board voted 5-0 to overrule the department and reduce the penalty to two times the permit fee of $21.00, for a total of $42.00 to be collected by the department.

APPEAL NO. 81-136

H. A. FLINT, dba MONTGOMERY ELEVATOR CO., Appl. vs. DEPT. PUBLIC WORKS, Resp.

Imposition of penalty on work done at 407 Sanchez Street. Mr. Flint represented

APPEAL NO. 81-136 (Continued)

Montgomery Elevator Company, and Mr. Spears spoke for the department. The board then voted 5 - 0 to overrule the department and to reduce the penalty to two times the permit fee of $28.00, for a total of $56.00.

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Date: June 10, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JUNE 23, 1981

Present: Louis J. Giraudo, President (Claire C. Pilcher
Agripino R. Cerbatos, Vice President (Executive Director
Mattie J. Jackson, Commissioner (Doris Levine,
Richard J. Guggenhime, Commissioner (Hearing Reporter

Absent: Douglas J. Engmann, Commissioner

The following matters were presented as requests for rehearing and were denied due to no motion from members of the board:

APPEAL NO. 81-102: Jack L. Phillips, Appl. vs. Zoning Administrator, Resp.
APPEAL NO. 81-119: Alessio Pavone, Appl. vs. Dept. Public Works, Resp.
APPEAL NO. 81-121: Nels Martin, Jr. dba J & M Disco, Appl. vs. Police Dept., Resp.
APPEALS NOS. 81-77 and 81-66: Mary Rahmer/Jack Thorp, Appls. vs. Department of Public Works, Resp.

The following requests for rehearing were granted by unanimous vote (4-0).
APPEALS NOS.: 81-137, 81-138, 81-139, Jonathan Bulkley, Appl. vs. Department of Public Works, Resp.

The following was a request for the Board to take jurisdiction beyond the ten-day period. Request was denied due to no motion from the board:

Letter from Sharon Saenz dated June 16, 1981.

APPEAL NO. 81-141

MIKE D. WELDON, dba MARKET STREET CINEMA, Appl. vs. S.F. POLICE DEPARTMENT, Resp.

Denial on May 26, 1981 of permit for cabaret at 1077 Market Street. Lawrence Wilson represented the Police Department. Attorney for the appellant, John Segall, represented his case to the Board. The Board then voted 3 - 1 to concur with the department.

APPEAL NO. 81-142

MILDRED REVELO, dba BAHAY KUBO RESTAURANT, Appl. vs. S.F. POLICE DEPARTMENT, Resp.

Denial on May 26, 1981 of permit for place of entertainment at 2943 Mission Street.

Lawrence Wilson for the Police Department; Anselmo Revelo for the defendant. Mr. Revelo stated that there had been no objections by the neighbors to the issuance of the permit. Mr. Wilson spoke on behalf of the Police Department. The Board voted 4 - 0 to overrule the department with the stipulation that the hours be 7:00 p.m. to 11:00 p.m., seven nights a week, and that entertainment will cease by 11:00 p.m.

APPEAL NO. 81-148

CHARLES COHN, Appl. vs. S.F. POLICE DEPARTMENT, Resp.

Denial on June 1, 1981 of permission to change color scheme of taxicab, from Luxor to National Cab.

Mr. William Lazar, Jr.(Luxor Cabs) spoke for the Police Department, and stated his reasons for not wanting this permission to be granted. The Police Department was represented by Mr. Wilson. The Board then voted 2 - 2 to concur with the department. President Giraudo and Vice-President Cerbatos voted to overrule the department.

MINUTES OF THE BOARD OF PERMIT APPEALS MEETING OF JUNE 23, 1981

APPEAL NO. 81-149

NANCY L. ARON, dba "COMMITTEE TO FREE THE MAO TSE TUNG DEFENDANTS," Appl. vs. S. F. POLICE DEPARTMENT, Resp.

Denial on June 5, 1981 of permit to operate a loudspeaker vehicle on Mission Street and in Chinatown. Jeffrey Lewis, Esq. represented the appellant. Lawrence Wilson, Esq. represented the department. The following also gave testimony for the department: Sgt. Joseph J. Cuneo, Officer M. D'Amico, Lee H. Clarke, and Richard Parry. After lengthy discussion, the Board voted 3 - 1 to overrule the department with President Giraudo voting to concur with the department. An automatic rehearing was scheduled for the meeting of July 8, so this matter would be heard before a five member board.

APPEAL NO. 81-144

WALTER & PHYLLIS POSEY, et al, Appl. vs. DEPT. PUBLIC WORKS, Resp.

Protesting issuance of permit on May 29, 1981 to David Lo to alter building at 2091 - 22nd Avenue.

Mr. Charles O'Connor, one of the appellants, stated the objections to the permit issued to Mr. Lo. Mr. Lo represented his side of the story. After some discussion, the board voted 4 - 0 to concur with the department and to grant Mr. Lo's permit.

APPEAL NO. 81-146

CASEY T. McGRATH, Appl. vs. DEPARTMENT PUBLIC WORKS, Resp.

Denial on June 8, 1981 of permit to alter a building at 262 Frederick under Application No. 8105090. After a short discussion the board voted 4 - 0 to overrule the department with the finding that an 11'6" ladder meets the intent of the code.

APPEAL NO. 81-150

RICHARD LA MOTTE, Appl. vs. DEPARTMENT PUBLIC WORKS, Resp.

Revocation of permit on June 15, 1981 to Marion Harris to alter property at 2831/2833 Webster Street. Application No. 8008788.

This matter was continued to the meeting of July 8, 1981.

APPEAL NO. 81-151

ADOLPH ROSEKRANS, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.

Denial on June 12, 1981 of permit to alter building at 2840 Broadway. APPLICATION NO. 8104125.

Adolph Rosekrans is the architect on this project. After a short discussion, the board voted 4 - 0 to overrule the department with the finding that the room in question is not a bedroom but a foyer.

The meeting was adjourned at 9:10 p.m.

Date: June 23, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, JULY 8, 1981

Present: Louis J. Giraudo, President
Agripino J. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

(Claire C. Pilcher
(Executive Director

(Doris Levine
Hearing Reporter

There were no requests for rehearing to be presented to the Board. A letter from Sharon Saenz requesting that the Board take jurisdiction beyond the ten-day period was shown to them. There was no motion from any of the members, therefore denied. The Executive Director presented the City Attorney's opinion that the Board would not hear appeals regarding electrical late charges.

APPEAL NO. 81-154

DANIEL SCHER, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Imposition of penalty on June 19, 1981 for work done without a permit at 746 Corbett Street under Application No. 8010161. Mr. Scher represented himself, and Raymond McDonnell spoke on behalf of the Department of Public Works. The Board voted unanimously to reduce the penalty in half to $500.00, plus the Permit Fee of $154.80 for a total of $654.80.

APPEAL NO. 81-149

NANCY L. ARON, dba "COMMITTEE TO FREE THE MAO TSE TUNG DEFENDANTS," Appellants vs. THE SAN FRANCISCO POLICE DEPARTMENT, Respondent.

This was presented to the Board for a rehearing, because Commissioner Engmann had been absent from the meeting of June 23, 1981 when the matter had been heard originally and his vote would have made a difference. Mr. Jeffrey Lewis, Esq. spoke on behalf of the defendent and Mr. Lawrence Wilson represented the San Francisco Police Department. As the Board had heard the facts of the appeals at the earlier meeting, and Commissioner Engmann had studied the transcript earlier, the Board voted 4-1 to overrule the department with President Giraudo voting to uphold, finding that the loudspeakers were not the source of the unrest, and with the following stipulation: that the thirty-day period for the use of the permit begin July 9, 1981.

APPEAL NO. 81-156

BERTLE R. STENSRUD, dba BROILBURGER SHOP, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

Revocation on June 19, 1981 of permit to operate cabaret at 18 Seventh Street. Mr. Stensrud, Appellant, represented himself and explained his appeal. Lawrence Wilson, Esq. explained the department's stand in this matter. The Board then voted unanimously to overrule the department and to grant the permit, on the basis that the permit fee had been paid.

APPEAL NO. 81-162

STANLEY A. MAYNARD, dba HEADQUARTERS BAR & GRILL, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

Suspension on June 25, 1981 for 30 days beginning July 1, 1981 of permit for cabaret, billiard parlor, and mechanical amusement devices at 683 Clementina Street. The appellant represented himself. Mr. Wilson, again, represented the department. Officer David Robinson gave his testimony for the department. After some discussion, the Board voted 4 - 1 to overrule the department: (Commissioner Jackson voted to concur), with the stipulation that the suspension be reduced to 15 days.

Minutes of the Meeting of the Board of Permit Appeals, Wednesday, July 8, 1981

APPEALS NOS. 81-158/ 81-159/ 81-160

JAMES KOCHEVER/ G. WILLIAM JEWELL, Appellants vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Messrs. Kochever and Jewell explained their various concerns regarding safety, traffic, light and air. Mr. David Mallin, as well as Mr. Thomas Carroll, residents of the area stated their objections to the erection of these structures. The Board then decided to hold a site inspection on July 14, 1981 at 5:00 p.m. and to continue this matter to the meeting of July 15, 1981.

APPEAL NO. 81-153

ITO CARIANI SAUSAGE CO., INC., Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Appealing stipulation in permit application dated June 19, 1981 to erect a structure at 2424 Oakdale under APPLICATION NO. 8010025.

President Louis Giraudo excused himself from hearing this matter as he is the attorney for the Rosano Construction Company. He handed the gavel to Vice-President Cerbatos. Mr. G. Daniel Newland, attorney for Ito Cariani Sausage Co., Inc. spoke on the behalf of the appellant. After some discussion, the Board voted 4 - 0 to overrule the department with the finding that this freezer is not a separate building, but part of the entire building, and with the following stipulations: (1) that another means of egress will be installed onto the existing porch at the west side of the plant; (2) that easily readable signs will be placed inside the freezer indicating the location and describing the operation of the exit door and the security alarm system; and (3) that a second safety alarm with both a visual and aural warning device from the freezer to the kitchen will be installed.

APPEAL NO. 81-155

SUE C. HESTOR, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT APPROVAL

Protesting issuance on June 12, 1981 of permit to DAON CORP. to erect a structure at the southeast Corner of Battery and Sacramento Streets, under APPLICATION NO. 7901160. Mrs. Hestor presented her objections to the project. Mr. Jeff White, represented the DAON CORPORATION. After the presentation of both sides, the Board voted 4 - 1 to concur with the department (Commissioner Engmann voted to overrule)

APPEAL NO. 81-157

KURT BENDIT, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Protesting issuance on June 19, 1981 of permit to Fred Winn to alter the building at 3901 - 19th Street. APPLICATION NO. 8102424.

Mr. Kurt Bendit represented his appeal and showed photographs of the building in question. Mr. Fred Winn, owner of the property, stated his side of the issues. It was decided to hold a site inspection on the property and to continue the matter until the meeting of July 15, 1981. The site inspection will be held Tuesday, July 14, 1981 at 5:00 p.m.

Meeting was adjourned at 7:30 p.m.

DATE: July 8, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JULY 15, 1981

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:15 p.m. on Wednesday, July 15, 1981 in City Hall, Room 282.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Daniel Sullivan of City Planning Department, Raymond O. McDonnell, Donald Lim and Michael Inan of the Bureau of Building Inspection, Lawrence Wilson, attorney for the Police Department, and several Police Officers, as well as the board's official hearing reporter, Doris Levine.

There were no requests for rehearing. Appeal No. 9001, Rita J. Roberts/ Paul Anderson vs. the San Francisco Police Department, has been remanded for further findings on the issue of knowledge and the matter has been calendared for hearing for Wednesday, July 29, 1981.

Appeal 81-164, Tadaaki Kinoshita vs. S.F. Police Department, was taken off calendar, as the Police Department has rescinded its revocation. Appellant had paid the license fee and penalty and therefore the reason for the revocation was removed.

Appeal No. 81-166

BOB BUCKTER, Appl. vs. S.F. DEPARTMENT OF PUBLIC WORKS, Resp.

Mr. McDonnell stated his objections to the canvas awning proposed to be erected on Mr. Buckter's property at 3877-20th Street, and Mr. Buckter spoke on his own behalf. After considerable discussion with regard to the potential fire hazard, conflict with the applicable code section, and potential of enclosure to create additional living space, the Board voted unanimously to uphold the Department in denying the permit.

Appeals 81-158, 159 and 160

JAMES KOCHEVER, Appl. (158) and
G. WILLIAM JEWELL, Appl. (159 and 160) vs. S.F. DEPARTMENT OF PUBLIC WORKS,
Appellants Respondent

The Board had made a site inspection with regard to this property on Tuesday, July 14, and Commissioner Cerbatos and Commissioner Engmann summarized their observations with regard to fire department access, open space, potential noise and parking, as well as height. Thomas Carroll spoke on behalf of the protest appellants, as did Mr. Jewell, one of the protest appellants. The Board first voted to adopt the Negative Declaration (Environmental Evaluation) and then, after considerable discussion and testimony, the Board voted unanimously to concur in the granting of the three permits, with the following stipulations: (1) that the curb cuts will be narrowed to the minimum width

by the Department of Public Works and City Planning Department consistent with the present configuration of the building; and (2) that a Notice of Special Restriction be recorded on the standard City Planning Department form stating that each building shall be for two legal units unless the zoning is changed to allow an increase in the number of units. Architect Fraser Mills, on behalf of the permit holder Mancini-Mills, Inc. agreed to these stipulations.

Appeal No. 81-165

TRO THI MILLS, Appl. vs. S.F. POLICE DEPT., Resp.

Appellant was represented by her attorney, LaRue Grim, and also spoke in her own behalf. Attorney Lawrence Wilson presented the case for the Police Department, and Officers O'Connor, Troche and Zerga testified. After lengthy testimony, President Giraudo moved that the Department be overruled, that is, that the permit not be revoked, but that the permit be suspended for sixty days, finding that the testimony of Officer O'Connor was credible with respect to the telephone call made to Ms. Mills' establishment, the lack of licensing of the employee sent on an outcall massage, and that Ms. Mills does not seem to have a grasp of the responsibilities required to carry out with respect to her establishment.

Appeal No. 81-157

KURT BENDIT, Appl. vs. S.F. DEPT. OF PUBLIC WORKS, Resp.

This protest appeal was first heard on July 8, and then continued for further hearing today to allow for a site inspection on Tuesday, July 14. Inspector Inan and Chief Building Inspector Ray McDonnell, after testimony by Mr. Winn, the permit holder, Mr. Bendit, the protest appellant, and Dr. Gregory T. Kotonias-Payne, a tenant in the building, requested that the Department of Public Works be allowed to join in the protest and asked the Board to overrule the department so that a proper permit for the additional work which needed to be done could be applied for. After hearing much testimony with regard to numerous other code violations which came to light at the site inspection with regard to work previously done without a permit, the Board voted unanimously to overrule the Department and deny the permit.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - JULY 14, 1981

A special meeting of the Board was held on Tuesday, July 14 at 4:30 p.m. at 3901 - 19th Street with regard to Appeal No. 81-157, and at 5:00 p.m. at 112-114-116-118 Corwin Street with regard to Appeal Nos. 81-158, 159 and 160. Present were Vice President Cerbatos and Commissioners Jackson and Engmann. Both sites were thoroughly inspected and discussion followed.

Further hearing was to be held at the next regular meeting on July 15, as reported in the foregoing minutes of that meeting.

L. J. Giraudo ccr

Louis J. Giraudo, President

Claire C. Pilcher

Claire C. Pilcher, Executive Director

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MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JULY 29, 1981

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:10 p.m. on Wednesday, July 29, 1981 in Room 282 City Hall.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Daniel Sullivan and Nancy Gin of City Planning Department; James Kelley of the Bureau of Building Inspection; Lawrence Wilson, attorney for the Police Department; Julian Hultgren and Judith Boyajian, Deputy City Attorneys; Paul Schwabacher, Chief Environmental Health, and Doris Levine, the board's official hearing reporter.

The following requests for rehearing were denied:

APPEAL NO. 81-162 STANLEY A. MAYNARD, dba HEADQUARTER'S BAR & GRILL vs. SAN FRANCISCO POLICE DEPARTMENT

APPEALS NOS. 81-158/ 81-159/ 81-160 JAMES KOCHEVER and G. WILLIAM JEWELL vs. SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

The board voted unanimously to take jurisdiction beyond the ten-day filing period in the Appeal of WAYNE A. BASSO and RICHARD GREENBERG.

APPEAL NO. 9001

RITA ROBERTS/PAUL ANDERSON, Appellants vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

The board reaffirmed their previous decision in this Remand from Superior Court, and President Giraudo read the additional findings into the record. The board then voted unanimously to accept the additional findings.

APPEAL NO. 81-174

VIKKI R. BURRUS, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

At the request of the Appellant and the consent of Lawrence Wilson, representing the Police Department, the board agreed to continue this matter until the regular meeting of August 12, 1981.

APPEAL NO. 81-172

ROGER BOSCHETTI, Appellant vs. SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS, Respondent

Imposition of penalty on July 20, 1981 for work done without a permit on property located at 20 Carnelian Way. APPLICATION NO. 08104121. Mr. Fisher presented the arguments for the department. Mr. Boschetti represented himself. The board voted unanimously to reduce the penalty in half, plus the permit fee of $42.60 for a total of $234.30.

APPEAL NO. 81-150

RICHARD LA MOTTE, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Resp. CITY PLANNING APPROVAL

Revocation on June 15, 1981 of permit to Marion Harris to alter property at 2831/2833 Webster Street. APPLICATION NO. 8008788. Nancy Gin spoke for the City Planning Department and Mr. Everett S. Layman, Jr. represented the appellant. After some discussion, the board voted to uphold the department. (President Giraudo and Commissioner Engmann voted to concur with the department Vice-President Cerbatos and Commissioners Jackson and Guggenhime voted to Overrule.)

APPEAL NO. 81-171

SHING LU, dba GREAT EASTERN RESTAURANT, Appellant vs. S.F. HEALTH DEPARTMENT, Respondent

Revocation on July 16, 1981 of permit to operate Food Preparation and Service Establishment at 649 Jackson Street.

Paul Schwabacher spoke regarding the concerns of the Health Department. The appellants were represented by Dean Hedani, Esq. The board then voted 4 - 1 to concur with the department. Commissioner Engmann voted to overrule the department.

APPEAL NO. 81-173

JACK KAMESAR dba "ROCHESTER CLOTHING," Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent S.F. FIRE DEPARTMENT DISAPPROVAL

Denial on July 14, 1981 of permit to alter building at 700 Mission Street. APPLICATION NO. 8105200.

Mr. Kelley represented the Department of Public Works andexplained the views of the the department. Lt. O'Brien of the Fire Department gave that department's views. The appellant stated his views. After some discussion, the board voted 4 - 0 to concur with the department. President Giraudo left before the vote was taken.

APPEALS NOS. 81-167/ 81-168/ 81-169/ 81- 170

GOLDEN GATE HEIGHTS NEIGHBORHOOD ASSOCIATION, Appellants vs. DEPARTMENT OF PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

Protesting issuance on July 8, 1981 of permit to Zev-Simon to erect structures at 1981-A, 1981-B, 1981-C, and 1981-D Funston Avenue. APPLICATION NO. 7911861.

The Department of Public Works was represented by Mr. Kelley. Several members of the Golden Gate Heights Association spoke of the problems involved. After a discussion, the board decided to hold a site inspection on this property on August 4, 1981 at 5:00 p.m., and to continue this matter until the meeting of August 5, 1981.

Vice President Cerbatos adjourned the meeting at 7:30 p.m.

DATE: July 29, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JULY 29, 1981

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:10 p.m. on Wednesday, July 29, 1981 in Room 282 City Hall.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Daniel Sullivan and Nancy Gin of City Planning Department; James Kelley of the Bureau of Building Inspection; Lawrence Wilson, attorney for the Police Department; Julian Hultgren and Judith Boyajian, Deputy City Attorneys; Paul Schwabacher, Chief Environmental Health, and Doris Levine, the board's official hearing reporter.

The following requests for rehearing were denied:

APPEAL NO. 81-162 STANLEY A. MAYNARD, dba HEADQUARTER'S BAR & GRILL vs. SAN FRANCISCO POLICE DEPARTMENT

APPEALS NOS. 81-158/ 81-159/ 81-160 JAMES KOCHEVER and G. WILLIAM JEWELL vs. SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

The board voted unanimously to take jurisdiction beyond the ten-day filing period in the Appeal of WAYNE A. BASSO and RICHARD GREENBERG.

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VIKKI R. BURRUS, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

At the request of the Appellant and the consent of Lawrence Wilson, representing the Police Department, the board agreed to continue this matter until the regular meeting of August 12, 1981.

APPEAL NO. 81-172

ROGER BOSCHETTI, Appellant vs. SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS, Respondent

Imposition of penalty on July 20, 1981 for work done without a permit on property located at 20 Carnelian Way. APPLICATION NO. 08104121. Mr. Fisher presented the arguments for the department. Mr. Boschetti represented himself. The board voted unanimously to reduce the penalty in half, plus the permit fee of $42.60 for a total of $234.30.

APPEAL NO. 81-150

RICHARD LA MOTTE, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Resp. CITY PLANNING APPROVAL

Revocation on June 15, 1981 of permit to Marion Harris to alter property at 2831/2833 Webster Street. APPLICATION NO. 8008788. Nancy Gin spoke for the City Planning Department and Mr. Everett S. Layman, Jr. represented the appellant. After some discussion, the board voted to uphold the department. (President Giraudo and Commissioner Engmann voted to concur with the department Vice-President Cerbatos and Commissioners Jackson and Guggenhime voted to Overrule.)

APPEAL NO. 81-171

SHING LU, dba GREAT EASTERN RESTAURANT, Appellant vs. S.F. HEALTH DEPARTMENT, Respondent

Revocation on July 16, 1981 of permit to operate Food Preparation and Service Establishment at 649 Jackson Street.

Paul Schwabacher spoke regarding the concerns of the Health Department. The appellants were represented by Dean Hedani, Esq. The board then voted 4 - 1 to concur with the department. Commissioner Engmann voted to overrule the department.

APPEAL NO. 81-173

JACK KAMESAR dba "ROCHESTER CLOTHING," Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent S.F. FIRE DEPARTMENT DISAPPROVAL

Denial on July 14, 1981 of permit to alter building at 700 Mission Street. APPLICATION NO. 8105200.

Mr. Kelley represented the Department of Public Works and explained the views of the the department. Lt. O'Brien of the Fire Department gave that department's views. The appellant stated his views. After some discussion, the board voted 4 - 0 to concur with the department. President Giraudo left before the vote was taken.

APPEALS NOS. 81-167/ 81-168/ 81-169/ 81- 170

GOLDEN GATE HEIGHTS NEIGHBORHOOD ASSOCIATION, Appellants vs. DEPARTMENT OF PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

Protesting issuance on July 8, 1981 of permit to Zev-Simon to erect structures at 1981-A, 1981-B, 1981-C, and 1981-D Funston Avenue. APPLICATION NO. 7911861.

The Department of Public Works was represented by Mr. Kelley. Several members of the Golden Gate Heights Association spoke of the problems involved. After a discussion, the board decided to hold a site inspection on this property on August 4, 1981 at 5:00 p.m., and to continue this matter until the meeting of August 5, 1981.

Vice President Cerbatos adjourned the meeting at 7:30 p.m.

DATE: July 29, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, AUGUST 5, 1981

8/5/81

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:15 p.m. on Wednesday, August 5, 1981, in Room 282 City Hall.

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Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Also present were Daniel Sullivan of City Planning Department; Robert Kelley of the Bureau of Building Inspection; Lt. William C. O'Brien of the Fire Department; Claire C. Pilcher, Executive Director, and Doris Levine, the board's official hearing reporter.

There was only one request for rehearing, as follows:

APPEAL NO. 81-171

SHING LAU, dba GREAT EASTERN RESTAURANT, Appellant vs. SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH, Respondent

Revocation on July 16, 1981 of permit to operate food establishment at 649 Jackson St. The Board granted the request for rehearing with a vote of 4 - 0 with Commissioner Guggenhime absent. This appeal will be on the calendar for further hearing for the meeting of August 12, 1981.

APPEALS NOS. 81-167/81-168/ 81-169/81-170

GOLDEN GATE HEIGHTS NEIGHBORHOOD ASSOCIATION, Appellant vs. SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS, Resp.
CITY PLANNING APPROVAL
FIRE DEPARTMENT APPROVAL

Protesting issuance on July 8, 1981 of permit to Zev-Simon to erect structures at 1981-A, B, C, and D Funston Avenue. APPLICATION NO. 7911861.
The Board held a site inspection on this property on August 4, 1981 at 5:00 p.m. and this matter was presented for further hearing today. Lt. O'Brien of the Fire Department said that the Permit Holder would install horizontal standpipes; outlets in front of each structure and will abide by all requirements of the Fire Department. After some additional discussion, the Board voted 4 - 0 to concur with the department. The Board also voted 4 - 0 to adopt the Negative Declaration in this appeal.

APPEAL NO. 81-175

CRAMER ASSOCIATES, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Imposition on July 22, 1981 of penalty for work done at 180 Howard Street.
Mr. Craig F. Andersen, represented the appellant. Mr. Robert Kelley spoke for the Department. After a short period of discussion, the Board voted 4 - 0 to concur with the Department.

APPEAL NO. 81-177

RICHARD A. SUAREZ, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Protesting issuance on July 24, 1981 to Gaehwiler Construction Company, permit to erect structure at 3256 Sixteenth Street. APPLICATION NO. 8010435.
The Board adopted the negative declaration by a 4 - 0 vote.

APPEAL NO. 81-177 (Continued)

Mr. Daniel Sullivan represented City Planning Department. The appellant was represented by Don Hanson who stated his concern regarding the new structure taking the sun from Mr. Suarez' solar system. Mr. Suarez spoke on his own behalf as to the cost and usage of the solar system. Mr. Milton Lewis, Energy Consultant spoke to the practicality and efficiency of this solar system. Wallace Colthurst, Esq. stated that the solar panels could be moved and thus not cause any further delay to the permit holder. After some further discussion, and the showing of pictures by both sides, and the presentation for the Department of City Planning by Daniel Sullivan, the Board voted 4 - 0 to concur with the department.

The meeting was adjourned by President Louis J. Giraudo at 7:15 p.m.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - AUGUST 4, 1981

A special meeting of the Board was held on Tuesday, August 4, 1981 at 5:00 p.m. at 1981 (A,B,C, and D) Funston Avenue. Commissioner Guggenhime was out of town at that time. Present were President Giraudo, Vice-President Cerbatos, Commissioners Jackson and Engmann. The Golden Gate Heights Neighborhood Association was represented by a number of neighbors and the permit holder, Zev-Simon, was also present. There was discussion during and following the site inspection.

Further hearing was to be held at the next regular meeting of August 5, 1981.

August 5, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, AUGUST 12, 1981

The regular meeting of the Board of Permit Appeals of the City and County of San Francisco was called to order at 5:10 p.m. on Wednesday, August 12, 1981, in Room 282 City Hall.

Present were: Vice President Agripino R. Cerbatos (Acting President)
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Nancy Gin of City Planning Department; James Fisher of the Bureau of Building Inspection; Lawrence Wilson, Esq., Mr. Jack Coyne of the Environmental Health Department., and various officers of the Police Department; Claire C. Pilcher, Executive Director, and Doris Levine, the Board's official hearing reporter.

The following was the only matter brought to the board as a request for rehearing:

APPEAL NO. 81-150

RICHARD LA MOTTE, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Revocation on June 15, 1981 of permit to Marion Harris to alter property at 2831-2833 Webster Street. APPLICATION NO. 8008788.
The Request was granted, and the matter will be on the calendar to be heard at the next regular meeting of the board which will be August 26, 1981.

Ms. Pilcher, Executive Director, brought to the board's attention that the appeal of FRANK CASHMAN, dba STUDIO WEST, Appellant, vs. the Police Department will not be scheduled until after the legislature is recessed, which will probably be the first week of October. Due to the probable length of this matter, it will be scheduled as a special meeting sometime during the week of October 12 - 16. Mr. Willie Brown, attorney for the appellant will be notified.

The first matter on the regular calendar was then called:

APPEAL NO. 81-182

WAYNE BASSO, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
Imposition on July 2, 1981 of penalty for work at 1199 Church Street.
APPLICATION NO. 8105184. The board decided to continue this matter to the meeting of August 26, 1981, in order that the department will be able to provide more evidence.

APPEAL NO. 81-174

VIKKI R. BURRUS, Appellant vs. S.F. POLICE DEPARTMENT, Respondent
Denial on July 13, 1981 of permit as masseuse trainee at "SUNSHINE SPA," at 519 Bush Street.
Lawrence Wilson, Esq., representing the Police Department, stated that Ms. Burrus' record had been expunged. Therefore, the department was withdrawing their objections to granting her appeal. The appellant was represented by her mother. The Board then voted to overrule the department and grant the permit. The vote was 4-0.

APPEAL NO. 81-178

RONALD HART, Appellant vs. S.F. POLICE DEPARTMENT, Resp.

Denial on July 21, 1981 of permit for pushcart peddler at northeast corner of California, Drumm, and Market Streets.

The Police Department was represented by Officer Raymond West. Several photographs (enlarged) were shown by Mr. Stanley Roth who represented the appellant. These photographs showed that the cart would not be interfering with the flow of traffic. After a brief explanation about the inadvisability of moving this cart from the proposed location, the board voted 4 - 0 to overrule the department with the following stipulations: (1) that the permit be issued in the name of Ronald Hart (as set forth in Section 1330.2 of the Police Code), and (2) that the size of the cart conform to code.

APPEAL NO. 81-181

JOSE S. CANAS, dba BILLIARD PALACADE, Appl. vs. S.F. POLICE DEPARTMENT, Resp.

Denial on July 21, 1981 of permit for Billiard Parlor at 5179 Mission Street. Lawrence Wilson, Esq. and Officer K. L. Baxter of the Ingleside Police Station gave evidence. Walter Pineda, Esq. represented the appellant. After lengthy discussion, the board voted 3 - 1 to overrule the department, with Commissioner Engman voting to concur. Mr. Pineda was told that he could apply for a rehearing on the grounds that one vote would have made a difference in the decision.

APPEAL NO. 81-180

JOHN E. BAKO, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Resp.

Protesting issuance on July 21, 1981 of permit to alter building at 899 Pine Street. APPLICATION NO. 8101230.

This matter was presented for further hearing at this time. Mr. Fisher of the Department of Public Works showed the board a sample of the wallpaper in question. After agreeing that this was acceptable and more than met the code requirements, the board voted 4-0 to concur with the department with the following stipulation: that the plexiglass mirrors be removed from the corridor area.

APPEAL NO. 81-179

WAN LI MING, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
ZONING ADMINISTRATOR DISAPPROVAL

Determination of the Zoning Administrator disapproving building permit application for work done at 375 Euclid Avenue. Nancy Gin for Zoning Administrator.

After a short discussion, it was decided to continue this matter to the next regular meeting of August 26, 1981. A site inspection will be held on this property on Tuesday, August 25, 1981 at 5:00 p.m.

APPEAL NO. 81-184

EDWARD HACK, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Mr. James Fisher represented the department. He made the statement that the problem was that the bottom riser on the front stairs were 6¼ inches high, while the other risers were 7½ inches high. The appellant, representing himself explained that this was due to the sidewalk being changed sometime since the building had been built. The board then voted 4 - 0 to overrule the department with the finding that the stair dimensions meet the intent of the code.

APPEAL NO. 81-185

SPENCER THOMAS, Appellant vs. ZONING ADMINISTRATOR, Respondent

Determination of the Zoning Administrator disapproving building permit application for work at 2101 Geneva Avenue. APPLICATION NO. 8010336.

Karl Hart, designer represented the appellant; Ms. Gin spoke on behalf of the department. After a lengthy discussion, the board voted to concur with the department with a vote of 4 - 0.

APPEAL NO. 81-171

SHING LAU, dba "GREAT EASTERN RESTAURANT," (Appellant) vs. DEPARTMENT OF PUBLIC WORKS, (Respondent)

Revocation on July 16, 1981 of permit to operate food establishment at 649 Jackson Street. This matter was presented for rehearing. After a short discussion the board voted 2 - 2 to uphold the department. Therefore the appellant could apply for a new permit if all corrective measures have been completed. Vice President Cerbatos and Commissioner Jackson voted to overrule the department.

The meeting was adjourned by Acting-President Cerbatos at 8:00 p.m.

DATE: August 12, 1981

Agripino R. Cerbatos

Acting President Agripino R. Cerbatos

Claire C. Pilcher

Claire C. Pilcher, Executive Director

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, AUGUST 26, 1981
5:00 P.M., Room 282, CITY HALL

The regular meeting of the Board of Permit Appeals was called to order at 5:20 p.m. by President Louis Giraudo. Present were:

President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Douglas Engmann
Commissioner Richard J. Guggenhime

Also present were Claire C. Pilcher, Executive Director; Don Lim from the Department of Public Works; Nancy Gin of City Planning; and Doris Levine, the official Hearing Reporter.

The following matters were requests for rehearing and were denied due to no motion made by the Board:

Appeal No. 81-177: Richard A. Suarez, Appellant vs. Dept. Public Works, Respondent

Appeal No. 81-184: Howard Hack, Appellant vs. Dept. of Public Works, Respondent
Requested by Department-Letter from Robert Levy dated 8/14/81.
The following matter was submitted as a request for the Board to take jurisdiction beyond the ten-day period: Letter from HARDISTY, PETERSON, BARR, AND PITCHFORD. Request was denied; re property at 578 San Jose Avenue.

The following are regularly calendared matters:

APPEAL NO. 81-182

WAYNE BASSO, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
Imposition on July 2, 1981 of penalty for work at 1199 Church Street.
Mr. Don Lim represented the Department and Mr. Snodgrass gave evidence for the appellant. As this matter was presented for further hearing today, and had been heard to some extent at a previous meeting (August 12, 1981) the discussion was very short at this time. Then the Board voted 4 - 0 to overrule with the stipulation that the appellant will pay one-half of the investigation fee, plus the regular permit fee, for a total of $570.90. (Commissioner Jackson absent) APPLICATION NO. 8105184.

APPEAL NO. 81-190

BRIAN CHRISTIANSON, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
Imposition on August 7, 1981 of penalty for work at 2235 - 15th Street.
Mr. Christianson represented himself and admitted that more work had been done than that shown on the over-the-counter permit shows. Mr. Lim represented the department. APPLICATION NO. 8105267. After a short discussion, the board voted 4 - 0 with Commissioner Jackson absent, to overrule with the stipulation that the appellant pay one-half the investigation fee of $1,000.00, plus the permit fee of $124.20, for a total to be paid of $624.20.

APPEAL NO. 81-197

W. J. BROOK, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
Imposition on August 19, 1981 of penalty for work at 1565/1567 Masonic Street.
APPLICATION NO. 8103364.
Mr. Don Lim represented the department and Mr. Brook explained that this was not intended to be an in-law apartment. After some discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the appellant pay a $250.00 investigation fee, plus the permit fee of $154.80 for a total of $404.80.

APPEAL NO. 81-179

FAN LI MING, Appellant vs. DEPT. PUBLIC WORKS, Respondent
ZONING ADMINISTRATOR DISAPPROVAL

Determination of Zoning Administrator disapproving building permit application for work at 375 Euclid Avenue. APPLICATION NO. 8101656. This matter was presented for further hearing, after a site inspection was held August 25, 1981 at 5:00 p.m. Nancy Gin, representing the Zoning Administrator, submitted the original plans showing 17 units, and her observations were submitted to the board as addendum. After a lengthy discussion, the Board voted 2 - 2 to concur with the department. President Giraudo and Commissioner Engmann voted to overrule. Therefore, the department was upheld.

APPEAL NO. 81-186

COST PLUS, INC., Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on July 23, 1981 to Eric Anderson of permit to alter building at 455 Beach Street. (Liquor Barn/Safeway. APPLICATION NO. 8105263.
Matter continued to September 2, 1981.

APPEAL NO. 81-187

WILLIAM COLEMAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
ZONING ADMINISTRATOR DISAPPROVAL

Mr. Don Lim stated the position of the Department of Public Works, and Mr. Coleman stated his position. After a short discussion, the Board voted 4 - 0 to concur with the department.

APPEAL NO. 81-189

CALIFORNIA CULINARY ACADEMY, INC. Appl. vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

The attorney for the appellant, Todd J. Anson, Esq. withdrew this appeal, stating that the appellant and the permit holder had come to an agreement.

APPEAL NO. 196

JOHN & STEVE FLAHERTY, Appellant vs. DEPT. PUBLIC WORKS, Respondent
ZONING ADMINISTRATOR DISAPPROVAL

Disapproval by Zoning Administrator on July 10, 1981 of permit to alter building at 522 Paris Street. APPLICATION NO. 8100399.
Messrs. Steve and John Flaherty represented themselves. Mr. Don Lim spoke on behalf of the department. After a short explanation, the Board voted 4 - 0 to overrule the department with the finding that the appellants had relied upon the 3-R Report showing that they were buying a two-family building, and they have been paying taxes on a two-family dwelling.

APPEAL NO. 81-191

BARBARA A. GOODE, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on August 5, 1981 of permit to alter building at 511-515 Clayton Street. APPLICATION NO. 8106264.
The appellant, Ms. Cook showed the board pictures of the porch in question, and explained about the waterproofing of the bathroom floor (3 coats of VARATHANE
Mr. Don Lim represented the department. After these explanations, the board voted 4 - 0 to overrule the department with the finding that the VARATHANE waterproofing meets the intent of the code, and the stipulation that the windows between the kitchen and the sunporch are to be secured in an open position.

APPEAL NO. 81-192

VIVIAN STUDT, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on August 4, 1981 to URAI CHALOEICHEEP of permit to alter building at 26 Newburg Street. APPLICATION NO. 8106264.
Ms. Studt represented herself and spoke to the board regarding her concerns. After some discussion, the board voted to concur with the department by a vote of 4 - 0. Commissioner Jackson absent.

APPEAL NO. 81-194

LINDA KARR & KEITH WEISS, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on August 7, 1981 of permit to Eric Lien to erect building at 1360-62 Ninth Avenue. APPLICATION NO. 8006286.
Ms. Karr spoke to the board regarding her appeal, and her objections to the new construction. Mr. Lim represented the department. After the presentation of this appeal, the board voted 4 - 0 to concur with the department. Commissioner Jackson was absent.

APPEAL NO. 81-195

WHIRL GARDNER, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on August 14, 1981 to JAMES BLOOM, permit to alter a building at 167 Bright Street. APPLICATION NO. 8104045.
Mr. Gardner and Mr. Bloom each spoke regarding their concerns regarding their common boundry line, and the fence separating their properties. After this discussion, the board voted 4 - 0 to concur with the department.

The meeting was adjourned by President Louis J. Giraudo at 9:05 p.m.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - AUGUST 25, 1981

A special meeting of the Board was held at 375 Euclid Avenue at 5:00 p.m. on Tuesday August 25, 1981. Vice President Cerbatos and Commissioner Engmann were present. Commissioner Giraudo did not return in time to go, and Commissioner Jackson was out of town. Commissioner Guggenhime was unable to go.

Further hearing will be held at the next regular meeting of August 26, 1981.

August 26, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, SEPTEMBER 2, 1981
5:00 P.M., Room 282, CITY HALL

The meeting was called to order at 5:10 p.m. by President Louis J. Giraudo. Present were:

President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Richard J. Guggenhime
Commissioner Douglas J. Engmann

Also present were Executive Director Claire C. Pilcher; Don Lim from the Department of Public Works; Dan Sullivan of City Planning; and Doris Levine, the official hearing reporter.

There were no requests for rehearing to be brought before the board.

APPEAL NO. 81-201

MORGAN HALPERIN, Appellant vs. DEPT. PUBLIC WORKS, Resp.
Imposition on August 26, 1981 of penalty for work done at 619 - 29th Street. APPLICATION NO. 8106141.

Mr. Halperin represented himself and Mr. Don Lim read the letter from the department, stating their position for enforceing the penalty. After the presentation of facts by both sides, the board voted 5 - 0 to overrule the department with the stipulation that the appellant pay the permit fee of $73.20, plus half the investigation fee of $658.80 ($329.40) for a total of $402.60.

APPEAL NO. 81-200

LEAL K. UGRIN, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.
Imposition of penalty for work done at 623- 29th Street. APPLICATION NO. 8104150. Mr. Don Lim, representing the department, stated their position regarding this penalty. Mr. Ugrin represented himself. After a short discussion, the Board voted 5 - 0 to overrule the department with the stipulation that the investigation fee be reduced by half (original amount of $1,000.00) The appellant will pay a penalty of $500.00, plus $154.80 for the permit fee.

APPEAL NO. 81-150

RICHARD LA MOTTE, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.
CITY PLANNING APPROVAL
Revocation on June 15, 1981 of permit to Marion Harris to alter property at 2833/33 Webster Street. APPLICATION NO. 8008788.
This appeal was presented to the board for a rehearing.
After some discussion, the board voted 4 - 1 to overrule the department.
The findings will be presented at the next regular meeting of September 16, 1981. President Giraudo voted to concur with the department.

APPEAL NO. 81-198

S.F. NEON COMPANY, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on August 20, 1981 of permit to erect sign at 259 - 7th Street. Dan Sullivan explained the disapproval by City Planning of the projecting sign. Mr. Eugene T. Smith, trustee for various buildings on the same block spoke to uphold the department. Mr. Burton Landensohn, representing the appellant stated his reasons for wanting the sign. After some discussion, the board voted 5 - 0 to concur with the department.

APPEAL NO. 81-199

ARTIN HAMAMCIYAN, dba ARKO CONSTRUCTION CO., Appl. vs. ZONING ADMINISTRATOR, Respondent

Determination of the Zoning Administrator disapproving building permit application for work at 1974 Lombard Street. APPLICATION NO. 8106683.
It was decided to hold a site inspection on this property on September 15, 1981 at 8:00 a.m. and to continue the matter to the next regular meeting of the board on September 16, 1981.

The meeting was adjourned at 6:45 p.m. as there was no further business.

Date: September 2, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER
Executive Director

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, SEPTEMBER 16, 1981
5:00 P.M., Room 282, City Hall

The meeting was called to order at 5:05 p.m. by President Louis J. Giraudo.
Present were:

President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson (arrived late)
Commissioner Richard J. Guggenhime
Commissioner Douglas J. Engmann

Also present were Executive Direction Claire C. Pilcher; Don Lim from the Department of Public Works; Dan Sullivan and Sidney Shaw of City Planning, Lawrence Wilson of the Police Department Legal Bureau, and several police officers; and Doris Levine, the official hearing reporter.

APPEAL NO. 81-194: A letter requesting a rehearing had been included in each package for the Commissioners, from the Appellant, Linda Karr. As there was no motion from the Commissioners, the request for rehearing was denied.

APPEAL NO. 81-150: The Findings in this appeal were presented to the Board. As they all had had time to study these, a vote was taken and the Board voted 4 - 0 (Commissioner Jackson, not present) to adopt the findings. Commissioner Jackson arrived before discussion of the Annual Report. The Executive Director discussed the Annual Report with the Commissioners.

APPEAL NO. 81-202

ROBERT MULHERN, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
Imposition of penalty for work at 3653 Buchanan Street. APPLICATION NO. 8106687.
Mr. Mulhern spoke on his own behalf. After some discussion, the Board voted 5 - 0 to overrule the department with the stipulation that the penalty be reduced in half, and the Department of Public Works will collect $467.10, plus the permit fee of $103.80, for a total of $570.90.

APPEAL NO. 81-204

ROBERT LINER, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
Imposition of penalty on September 2, 1981 for work at 1180 Guerrero Street.
APPLICATION NO. 8107134.
Mr. Don Lim represented the Department of Public Works. Mr. Liner represented himself. After a short discussion, the Board voted 4-1 to overrule (President Giraudo to concur) with the stipulation that the penalty be reduced to half to $329.40, plus the permit fee of $73.20, for a total of $392.60.

APPEAL NO. 81-188

MEGUERDITCH MEKALIAN, dba "SONIA'S JEWELRY," Appl. vs. POLICE DEPARTMENT, Resp.
Revocation on July 21, 1981 of permit for second-hand dealer at 217 O'Farrell Street.
Lawrence Wilson, Esq. represented the Police Department. Also, giving testimony for the department were Officer James Ludlow and Inspector Ken King. After a discussion explaining the methods used by the Police Department, and explanations on the Appellant's behalf by his attorney, Joseph D. O'Sullivan, Esq., the Board then voted 4 - 1 to overrule the department with the stipulation that there be a 90 day suspension of "Sonia's Jewelry." President Giraudo voted to concur with the department.

APPEAL NO. 81-203

GENE J. JANSSEN, dba 7/11 FOOD STORE, Appellant vs. POLICE DEPT., Respondent
Denial on August 21, 1981 of permit for mechanical amusement devices at 2222 Taraval Street.
Lawrence Wilson, Esq., explained the objections of the Police Department, including loitering outside the store, also parking problems in the adjacent lot. Mr. Janssen explained how he planned to take care of these problems. After some discussion, the board voted to overrule the department with the following stipulations: (1) Permit issued for six-month period; (2) Limit of two games; (3) Limit of two persons playing machines at a time; (4) Installation of a remote control on-off switch; (5) Limiting the hours of using these amusement devices to the hours of 8:00 a.m. to 6:00 p.m.

APPEAL NO. 81-199

ARTIN HAMAMCIYAN, dba ARCO CONSTRUCTION CO., Appl. vs. ZONING ADMINISTRATOR, Resp.
Determination of the Zoning Administrator disapproving building permit application for work at 1974 Lombard Street. APPLICATION NO. 8106683.
This matter was brought to the board for further hearing today. The Board had heard the facts at the meeting of September 2, 1981, and had held a site inspection September 15, 1981. The Board then voted to concur with the department. The appellant was advised that the proper procedure in this matter would be to apply for a variance.

APPEAL NO. 81-186

COST PLUS, INC., Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL
Protesting issuance on July 23, 1981 to Eric Anderson, permit to alter building at 455 Beach Street-Liquor Barn/Safeway. APPLICATION NO. 8106683.
The commissioners voted unanimously to allow Commissioner Guggenhime to disqualify himself because his firm had conflict in this appeal. Dan Sullivan represented City Planning. Mr. Don Gaube spoke for the permit holder, and Attorney James Fowler spoke for the Appellant, Cost Plus. A lengthy discussion ensued. The Board voted 4-0 to overrule and deny the permit--the permit holder is to reapply for a new permit.

APPEAL NO. 81-205

STEVE HEAGAN, dba NOVA CONSTRUCTION CO., Appl. vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL
Denial on September 3, 1981 of permit to alter building at 110 Gough Street. APPLICATION NO. 8107513.
Mr. Lim represented the Department of Public Works, and Attorney Colleen M. Rohan represented the appellant. Mr. Heagan of Nova Construction Co., spoke on his own behalf. Discussion followed relative to fire safety and the previous appeal. President Giraudo made a motion to overrule the Fire Department based on the fact that Department of Public Works had considered what fire safety measures should have been taken by the owner of the building and found substantial equivalency to a wet standpipe.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS-SEPTEMBER 15, 1981

A special meeting of the board was held at 1974 Lombard Street, Tuesday, September 15, 1981 at 8:00 a.m. Present were President Giraudo, Vice-President Cerbatos; Commissioners Jackson and Guggenhime. This appeal (No. 81-199) will be heard further at the meeting of September 16, 1981.

DATE: September 16, 1981.

Claire C. Pilcher
CLAIRE C. PILCHER
Executive Director

LOUIS J. GIRAUDO, President

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M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, SEPTEMBER 23, 1981
5:00 P.M., ROOM 282, CITY HALL

The meeting was called to order at 5:20 p.m. by President Louis J. Giraudo. Present were:

President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Richard J. Guggenhime
Commissioner Douglas J. Engmann

Also present were Executive Director, Claire C. Pilcher; Don Lim from the Department of Public Works; Dan Sullivan of City Planning; Lawrence Wilson, Esq. for the Police Department; several other police officers; Frank Patane, representing the Health Department, and Doris Levine, the official hearing reporter.

There were no requests for hearing to be presented to the Board for their consideration.

APPEAL NO. 81-206

ARAYA INTAWONG, dba "ANNIE'S BATH GARDEN," Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

Suspension of permit on August 28, 1981 to operate a massage establishment at 4828 Geary Street.
At the request of the Lawrence Wilson, of the Police Department Legal Office, the Board voted unanimously to overrule the department as there was no evidence that the owner had any knowledge of the actions of her employee.

APPEAL NO. 81-212

EDWARD A. MORAN, Appellant vs. SAN FRANCISCO POLICE DEPT., Respondent

Revocation on September 5, 1981 of Second-hand dealer's permit at 39 Taylor St. Lawrence Wilson, Esq. represented the Police Department. Officer Jiminez gave testimony to support the Police Department. The appellant was represented by his attorney, Joe Desmond. After some discussion by both sides, the Board voted to concur with the department.

APPEAL NO. 81-211

SHEILA M. McCONNON, dba "CARNIVAL CLUB," Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Resp. DEPT. OF PUBLIC WORKS DISAPPROVAL

Lawrence Wilson, Esq., representing the Police Department, stated that the appellant has not passed the electrical inspection nor has she passed the noise abatement based on the new location, which is a problem area. In support of his opposition, he also stated that the appellant has had 3 citations by the Alcoholic Beverage Commission for violations of their standards.
The attorney for the appellant, Melvin Belli, explained that the Carnival Club is the only "Queen's Bar" in San Francisco, and serves an important function in the City. After lengthy discussion and much evidence from both sides, it was decided to continue this matter to the meeting of October 7, 1981.

APPEAL NO. 81-208

LEE J. PANZA, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Resp.

Denial on September 14, 1981 of permit to alter building at 2861 Washington Street. Don Lim represented the Department of Public Works. Mr. Panza explained that the acrylic bubble in question had been approved by the department, originally. After some discussion, the board voted 5 - 0 to overrule the department because Mr. Panza had relied upon that approval from the department, and inasmuch as the bubble in question is over the bathroom, the hazard is greatly reduced.

APPEAL NO. 81-209

LEE J. PANZA, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Resp.

Denial on September 14, 1981 of permit to alter building at 2865 Washington Street. Mr. Lim explained the objection of the department regarding a staircase which is 27 inches wide, when the code specifies that it should be 30 inches wide. The department had agreed that it could be narrowed by using 5/8" sheetrock on each side, which would have made it 1¼ inches less than code. However, it was now three inches less than the standard of the department. The Board decided that inasmuch as the three inches is only slightly less than that permitted by code, they voted 5 - 0 to overrule the department.

APPEAL NO. V81-210

RALPH F. DALESSIO, dba "SPACEMAKER DEVELOPMENT SYSTEMS," Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on September 3, 1981 of variance for addition on 295 Brookdale Avenue. Dan Sullivan explained the objections of the Zoning Administrator. Mr. Dalessio represented himself. After some explanation and discussion by both sides, it was decided by the Board to hold a site inspection on Tuesday, October 6, 1981 at 8:00 a.m. The matter will be continued to the meeting of October 7, 1981.

APPEAL NO. 81-214

MICHAEL T. McDONALD, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Resp.
ZONING ADMINISTRATOR DISAPPROVAL

Determination on September 14, 1981 of Zoning Administrator to disapprove building application to legalize unit at 1015 Ashbury Street. APPLICATION NO. 8106401. Dan Sullivan represented the Zoning Administrator. Mr. McDonald represented himself. After a lengthy discussion, it was decided by the board to continue this appeal until the meeting of October 7, 1981, so that Mr. McDonald will have time to produce more evidence in his favor.

APPEAL NO. 81-213

MELVIN LEFER, dba "LITTLE ITALY," Appellant vs. DEPARTMENT OF PUBLIC HEALTH, Resp.
CITY PLANNING DISAPPROVAL

Denial on September 10, 1981 of permit to warehouse foodstuffs at 4118-24th Street. Mr. Frank Patane represented the Health Department Department. The appellant presented his views in this appeal. After each side expressed their view, the Board voted 4 - 1 to concur with the department. Commissioner Jackson voted to overrule.

The meeting was adjourned at 9:00 p.m. by President Louis J. Giraudo.

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, OCTOBER 7, 1981
5:00 P.M., --Room 282, City Hall

The meeting was called to order at 5:20 p.m. by President Louis J. Giraudo. Present were:

President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson (arrived late)
Commissioner Richard J. Guggenhime
Commissioner Douglas J. Engmann

Also present were Executive Director Claire C. Pilcher, Bob Kelley of the Department of Public Works, Dan Sullivan of City Planning; Captain Mahoney of the Fire Department; Lawrence Wilson of the Police Department Legal Bureau, and several police officers; and Doris Levine, the official hearing reporter.

The first matter of business was the request for rehearing by Edward A. Moran, Appeal No. 81-212. This request for rehearing was denied due to no motion by the board.

APPEAL NO. 81-216

GRETCHEN KUNITZ/STEPHEN HERRICK, Appl. vs. DEPARTMENT PUBLIC WORKS, Resp.
Imposition on September 21, 1981 of penalty for work at 1027 Florida Street. Mr. Bob Kelley presented the side of the department, and the appellants represented themselves. After a short discussion, the Board voted 4-0 to overrule the department with the stipulation that the appellants pay only two times the permit fee, for a total to be collected by the department of $105.60.

APPEAL NO. 81-218

TOMMIE FREELAND, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
Imposition on September 21, 1981 of penalty for work at 279 Post Street. Mr. Bob Kelley represented the department and Mr. Freeland presented his appeal. The board then voted 4 - 0 to overrule the department with the stipulation that the appellant pay only two times the permit fee, for a total to be paid the department of $49.30.

Commissioner Jackson came in before the beginning of the next appeal.

APPEAL NO. 81-211

SHEILA M. McCONNON, dba "CARNIVAL CLUB," Appellant vs. POLICE DEPARTMENT, Respondent
Denial on September 4, 1981 of permit for dance-hall keeper at 177 Eddy Street. This appeal was presented to the board for further hearing. Mr. Lawrence Wilson represented the Police Department, and Mr. Shamoon Zakaria, represented the appellant. The following officers were also called by Mr. Wilson to substantiate the evidence presented from police reports:

Officer West, Sgt. Allegro, and Officer John Shine.

Each piece of evidence was discussed by Lawrence Wilson and Shamoon Zakaria. At the beginning of this appeal, before any evidence had been submitted, everyone who was to give evidence at this evening's meeting was sworn in by Doris Levine.
After much discussion by both sides, the board voted unanimously to concur with the department.

APPEAL NO.81-220

PRENTISS WALLACE, SR., dba "ZINGA RECORDS," Appl. vs. POLICE DEPARTMENT, Resp.
Denial on September 15, 1981 of permit for mechanical amusement devices at 2026 Mission Street. Mr. Lawrence Wilson, representing the police department called on Officer Anderson to testify to the objections of the department to granting Mr. Wallace a permit for mechanical amusement devices at his place of business. Officer Anderson stated that the department's objections consisted mainly of the fact that the business of selling records was not conducive to also having the amusement devices on the premises.
Commissioner Guggenhime made the motion to add stipulations that the appellant be given a six-month permit with the finding that the hours asked for 9:30 a.m. to 5:30 p.m. would not be attractive to school children, the board voted 3 - 2 to overrule the department, and the motion was not carried. Commissioners Giraudo and Engmann voted to concur with the department, therefore, the department was upheld.

APPEAL NO. 81-217

JOSEPH NATALE, dba "YO'S PIZZA," Appl. vs. POLICE DEPARTMENT, Respondent
Denial on September 15, 1981 of permit for mechanical amusement devices at 1825 Irving Street.
Lawrence Wilson, Esq. represented the Police Department. Officer Grant gave testimony that this permit for mechanical amusement devices could not be granted as this place of business was not 300 yards from a school, which distance is required by code. Mr. Natale presented his own appeal. The board then voted 4 - 1 to concur with the department. Commissioner Guggenhime voted to overrule the department.

APPEAL NO. 81-221

P. M. QUINLAN, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
Denial on October 1, 1981 of permit to alter building at 1456 Page Street. APPLICATION NO. 8107121.
Mr. Bob Kelley represented the department. Mr. Quinlan represented himself. After a short discussion, the board voted unanimously to concur with the department.

APPEAL NO. 81-215

ROBERT SIMS, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL
Denial on September 18, 1981 of permit to alter building at 75 Lily Street. APPLICATION NO. 8105742.
Inspector Mahoney represented the Fire Department. Bob Kelley represented the Department of Public Works. After lengthy explanations, the board voted unanimously to overrule the department with the following stipulations: (1) that the entire building shall be sprinklered with a supervised system with a new main coming into the building; and (2) that the new work on the basement and the first floor be one-hour fire protected according to the plans.

APPEAL NO. V81-210

RALPH F. DALESSIO, dba "SPACEMAKER DEVELOPMENT SYSTEMS," Appellant vs. ZONING ADMINISTRATOR, Respondent
Denial on September 3, 1981 of variance for addition to building on 295 Brookdale Avenue. This matter was first heard by the board at the meeting of September 23, 1981. A site inspection had been held on this property Tuesday, October 6, 1981; therefore, very little discussion was necessary. The board voted unanimously to concur with the department.

MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS

APPEAL NO. 81-214

MICHAEL T. McDONALD, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
ZONING ADMINISTRATOR DISAPPROVAL

Determination on September 14, 1981 of Zoning Administrator to disapprove building application to legalize unit at 1015 Ashbury Street. This matter was presented to the board for further hearing. The continuation had been granted to Mr. McDonald to enable him to do more checking on the legality of the unit. Mr. McDonald had checked available sources and presented evidence to the board. The board then voted 4 - 1 to overrule the department with the finding that Mr. McDonald had shown that there had been persons living in the apartment for many years. President Giraudo voted to concur with the department.

As there was no further business, President Giraudo adjourned the meeting at 8:00 p.m.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - OCTOBER 6, 1981

A special meeting of the board was held at 295 Brookdale Avenue at 8:00 a.m. (Tuesday). Present were Vice President Cerbatos, Commissioner Jackson, and Executive Director Claire Pilcher. This appeal (No. V81-210). will be heard further at the meeting of October 7, 1981.

DATE: October 7, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, OCTOBER 14, 1981
5:00 P.M., - ROOM 282, CITY HALL

The meeting was called to order at 6:15 p.m. by President Louis J. Giraudo.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

[Commissioner Richard J. Guggenhime was absent from this meeting. [(Out of town).

Also present were Executive Director Claire C. Pilcher, Bob Kelley of the Department of Public Works, Dan Sullivan of City Planning, Captain Mahoney of the Fire Department, Lawrence Wilson of the Police Department Legal Bureau, and Doris Levine, the official hearing reporter.

There were no requests for rehearing.

APPEAL NO. 81-225

HOT SPOT DESIGN CENTER, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
Imposition of penalty on September 25, 1981 for work at 127 Casselli Street.
CHARGE NOTICE NO. 23876.
Mr. Bob Kelley represented the department. Mr. Paul Steinwalt spoke on behalf of the appellant. After a short discussion, the board voted 4 - 0 to overrule the department with the stipulation that the appellant pay only two times the permit fee for a total of $20.00

APPEAL NO. 81-232

RICHARD BOLEN, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on September 28, 1981 of permit to drive a taxicab.
The department was represented by Lawrence Wilson, Esq., and Mr. Bolen stated that although he had been out of San Francisco since 1979, he had lived here long time previous to that date, and was well acquainted with the City. The board found that Mr. Bolen had lived in the City 1972 to 1979 and knew the area very well. They then voted 4 - 0 to overrule the department.

APPEAL NO. 81-226

NASSAR SAYYAH, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
Imposition on September 25, 1981 of penalty for work done at 950 Monterey Boulevard.
APPLICATION NO. 8103871.
The department was represented by Bob Kelley who stated the reasons for the imposition of penalty. Jonathan Steiner, Esq. represented the appellant and stated that the work had been done by the previous owner. After a short discussion, the board voted 4 - 0 to overrule the department with the stipulation that the appellant pay two times the permit fee of $105.60.

APPEAL NO. 81-229

NASSER SAYYAH, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
Denial on October 6, 1981 of permit to alter building at 950 Monterey Boulevard.
APPLICATION NO. 8108538.
Bob Kelley represented the department and Jonathan Steiner, Esq. represented the appellant. After both sides stated their views, the board voted 4 - 0 that the 6'6" ceiling of the bathroom with the existing window and ventilating fan would meet the intent of the code.

APPEAL NO. 81-224

CHAN HOON SING, Appellant VS. DEPARTMENT OF PUBLIC WORKS, Respondent
Protesting issuance on September 23, 1981 of permit to Robert Yick to alter building at 2109 Clement Street.
The department was represented by Bob Kelley. Brian Tom, Esq. represented the permit holder, Robert Yick, and the appellant spoke in his own behalf. After a short discussion, the board voted 4-0 to concur with the department and grant the permit.

APPEAL NO. 81-223

LAWRENCE PELLINACCI, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent

Protesting issuance on September 24, 1981 of permit to Gabriel Maldonado to alter building at 2934 - 24th Street. APPLICATION NO. 8107441.

Bob Kelley represented the department. The appellant spoke on his own behalf. Maria E. Pintos represented the permit holder. The board decided to continue this matter to the meeting of October 21, 1981 to provide time for further investigation.

APPEAL NO. 81-219

JACK KLEIN, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

As there was no representation by the appellant, the board voted to uphold the department. Mr. Klein spoke to the board after the meeting explaining the absence of representation. Board suggested that he request a rehearing.

APPEAL NO. V81-222

SUZANNE BRANGHAM, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on September 22, 1981 of rear yard variance to 2170 Vallejo Street.

Dan Sullivan represented the department. Ms. Brangham explained her request for variance. The Board then requested that a site inspection be held on the property Tuesday, October 20, 1981 at 8:00 a.m., and the matter be continued to the meeting of October 21, 1981.

APPEAL NO. 81-231

LISA W. KROEBER, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Dan Sullivan represented City Planning. Ms. Kroeber presented her appeal and several neighbors spoke in her behalf. The board then voted 3 - 1 to concur with the department. Commissioner Jackson voted to overrule.

As there was no further matter to bring before the board, the meeting was adjourned at 8:00 p.m.

DATE: October 14, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, OCTOBER 21, 1981
5:00 P.M., - ROOM 282, CITY HALL

The meeting was called to order at 5:15 p.m. by President Louis J. Giraudo.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Executive Director Claire C. Pilcher, Bob Kelley of the Department of Public Works, Dan Sullivan of City Planning, Lawrence Wilson of the Legal Bureau of the Police Department, and Doris Levine, the official hearing reporter.

The following requests for rehearing were granted and will be calendared for further hearing on November 4, 1981:

APPEAL NO. 81-214

Michael T. McDonald, Appellant vs. Dept. of Public Works, Respondent
Zoning Administrator Disapproval

Determination on September 14, 1981 of Zoning Administrator to disapprove building application to legalize unit at 1015 Ashbury Street.

APPEAL NO. 81-219

JACK KLEIN, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on September 23, 1981 of permit to alter building at 140 Graystone Terrace. APPLICATION NO. 8106974.

The following requests for rehearing were denied due to no motion by the board:

APPEAL NO. 81-211

SHEILA M. McCONNON, dba "Carnival Club," Appellant vs. POLICE DEPARTMENT, Respondent
DEPT. PUBLIC WORKS DISAPPROVAL

Denial on September 4, 1981 of permit for dance-hall keeper at 177 Eddy Street.

APPEAL NO. 81-217

JOSEPH NATALE, dba "YO'S PIZZA," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on September 15, 1981 of permit for mechanical amusement devices at 1825 Irving Street.

The following matters for consideration were brought to the attention of the Board by Claire C. Pilcher, Executive Director:

APPEAL NO. 81-207

PACIFIC HEIGHTS NEIGHBORHOOD COUNCIL vs. ZONING ADMINISTRATOR, Respondent
PACIFIC HEIGHTS RESIDENTS ASSOCIATION, Appellants

City Attorney's Opinion discussed and this appeal will be heard at meeting of November 18, 1981.

APPEAL NO. 9001

RITA ROBERTS/PAUL ANDERSON, dba "LA BELLA MASSAGE," vs. POLICE DEPARTMENT
Write of Mandate denied -- Board upheld.

Minutes of Board of Permit Appeals Meeting of October 21, 1981

APPEAL NO. 81-237

JOSEPH SKAJ, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.
Imposition of penalty on October 9, 1981 for work at 150 Carmel Ave. APPLICATION NO. 8108023.
Bob Kelley represented the Department of Public Works. Contractor Darryl Sapien represented the appellant. After a short discussion, the board voted 3 - 2 to concur with the department. President Giraudo and Commissioner Jackson voted to overrule. The Department was upheld.

APPEAL NO. 81-227

WILLIAM J. PILCHICK, dba S.F. FILM EXCHANGE, Appl. vs. POLICE DEPT., Respondent
Suspension on Sept. 28, 1981 of permits to operate Adult Theater and Adult Book Store at 63 Taylor Street.
The appellant was represented by Philip Scott Ryan, Esq. Lawrence Wilson spoke on behalf of the department. Also, giving testimony for the department were Officer Sterling and Inspector Kenneth King. After hearing evidence from both sides, the Board first voted to overrule the department with the stipulation that the suspension be for 30 days. They then resinded their vote unanimously, and voted again to uphold the department with the stipulation that the suspension be 30 days.

APPEAL NO. 81-223

LAWRENCE PELLINACCI, Appl. vs. DEPARTMENT PUBLIC WORKS, Resp.
Protesting issuance on September 24, 1981 of permit to Gabriel Maldonado to alter building at 2934 - 24th Street. APPLICATION NO. 8107441.
This appeal was continued from the meeting of October 14, 1981 to give all parties a chance to have a survey made, and to come to an agreement regarding the property lines. Mr. Bob Kelley represented the department, Mr. Pellinacci spoke in his own behalf, and Ms. Felix, stating that the permit holder was Fedoronio Felix, spoke on behalf of the permit holder. The board then voted unanimously to concur with the department with the stipulation that any building under this permit will not encroach on the appellant's property.

APPEAL NO. V81-222

SUZANNE BRANGHAM, Appellant vs. ZONING ADMINISTRATOR, Resp.
This matter had been continued from the meeting of October 14, 1981. The board had held a site inspection on October 20, 1981 at 8:00 a.m. on this property. This matter was continued to the meeting of November 4, 1981.

APPEAL NO. 81-230

VIRGINIA VERRILL, Appl. vs. DEPT. OF PUBLIC WORKS, Resp.
The Executive Director explained that there was legislation pending on this issue, and this appeal was continued until such time as this legislation had been resolved.

APPEAL NO. 81-235

BARBARA MALINA, Appellant vs. DEPT. PUBLIC WORKS, Resp.
Denial on October 8, 1981 of permit to alter building at 1317 Vallejo Street. APPLICATION NO. 8107987.
Mr. Bob Kelley represented the department. The appellant explained the situation of the height difference in the garage. The board then voted unanimously to overrule the department with the finding that the garage, except for the beam is in compliance with the height standard in the code.

APPEAL NO. 81-234

FRED NASE, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Determination of Zoning Administrator disapproving building permit application, APPLICATION NO. 8101310, for work done at 110 Carl Street.
Mr. Bob Kelley represented the Department of Public Works, Mr. Dan Sullivan presented the views of the City Planning Department. Mr. Nase spoke to his concerns. After hearing the discussion from the departments and the appellant, the Board then voted unanimously to concur with the department.

APPEAL NO. V81-236

JOSEPH LAURICELLA, Appellant vs. ZONING ADMINISTRATOR, Respondent
Denial of variance on September 29, 1981 of variance regarding lot area and density at 2801-07 Greenwich Street.
Dan Sullivan represented the Zoning Administrator, and Bruce Baumann spoke for the appellant. Mr. Lauricella also spoke on his own behalf. After lengthy discussion, upon motion of Vice-President Cerbatos, the board voted 4 - 1 to overrule the department, with Commissioner Engmann voting to concur with the department, therefore, the vote was to grant the variance.

As there was no further business, the meeting was adjourned at 8:15 p.m.

DATE: October 21, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher
CLAIRE C. PILCHER, Executive Director

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - OCTOBER 20, 1981

A special meeting of the Board was held at 2170 Vallejo Street at 8:00 a.m., Tuesday, October 20, 1981. Vice President Cerbatos and Executive Director, Claire Pilcher were present. Commissioners Jackson, Guggenhime, and Engmann were able to come by to inspect the site during the day.

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BOARD OF PERMIT APPEALS
MINUTES OF TWO SPECIAL MEETINGS
OCTOBER 22, 1981 and NOVEMBER 5, 1981

APPEAL NO. 81-183

FRANK CASHMAN, dba "STUDIO WEST," Appl. vs. SAN FRANCISCO POLICE DEPARTMENT, Resp. Revocation on July 14, 1981 of the following permits: Dance Hall Keeper, Place of Entertainment, and Cabaret at 100 Vallejo Street.

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Present for both meetings were:

Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present for both meetings were Claire C. Pilcher, Executive Director; Lawrence Wilson, Esq., Legal Officer for the Police Department, and a number of police officers; and Doris Levine, the official hearing reporter.

OCTOBER 22, 1981 HEARING:

The meeting was convened in the auditorium of the Department of Public Health at 101 Grove Street at 3:15 p.m. Lawrence Wilson, Esq., presented the case for the Police Department, and a number of police officers testified, and were cross-examined by attorney Willie Brown, Jr., representing the appellant. At 6:20 p.m., the meeting was adjourned and continued to November 5, 1981 for further hearing.

NOVEMBER 5, 1981 FURTHER HEARING:

The further hearing commenced at 6:10 p.m. in Room 2-C of City Hall.

Willie L. Brown, Jr., Esq. presented the case on behalf of the appellant, "STUDIO WEST." Numerous witnesses were called and testified, including Jack Webb, Jack Berman, Frank Cashman, and Willie E. Johnson.

After closing arguments by counsel for appellant and the Police Department, and discussion by the Commissioners, the Board voted 3 - 2 to uphold the Department, upon motion of President Giraudo. Commissioners Engmann and Guggenhime concurred, and Commissioner Jackson and Vice President Cerbatos voted to overrule the department. The department was, therefore, upheld.

LOUIS J. GIRAUDO, PRESIDENT

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, NOVEMBER 4, 1981
5:00 P.M. - ROOM 282, CITY HALL

The meeting was called to order at 5:15 p.m. by President Louis J. Giraudo.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Executive Director Claire C. Pilcher, Don Lim of the Department of Public Works, Dan Sullivan of City Planning, Captain Mahoney of the Fire Department, and Doris Levine, the official hearing reporter.

The following request for rehearing was granted and will be heard at the meeting of November 18, 1981.

APPEAL NO. 81-231

LISA W. KROEBER, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
ZONING ADMINISTRATOR DISAPPROVAL

Determination on September 30, 1981 of Zoning Administrator to disapprove building application to legalize unit at 838-A Schrader Street. APPLICATION NO. 8102313.

The following request for rehearing was denied:

APPEAL NO. 81-227

WILLIAM J. PILCHICK, dba San Francisco Film Exchange, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

Suspension on September 28, 1981 of permits to operate adult theater and adult book store at 63 Taylor Street.

The following matters are from the regular calendar:

APPEAL NO. 81-241

PATRICK E. CATALANO, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Imposition on October 21, 1981 of penalty for work at Suite 3090, Four Embarcadero Center. APPLICATION NO. 8108610.

Don Lim represented the department. Mr. George Shea represented the appellant. After a short discussion, the board voted unanimously to overrule the department with the stipulation that the investigation fee be reduced by half, plus the permit fee of $63.00, for a total of $346.50.

APPEAL NO. 81-246

LYDIA STOOPENKOFF, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Imposition on October 26, 1981 of penalty for work at 1619 - 47th Avenue, CHARGE NOTICE NO. 23755.

Mr. Lim represented the department. Ms. Stoopenkoff, representing herself, explained her reasons for the appeal. The board then voted unanimously to overrule the department with the stipulation that the appellant pay two times the permit fee of $10.00, for a total due to the department of $20.00.

APPEAL NO. 81-247

RICHARD DEATLEY, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Imposition on October 26, 1981 of penalty for work at 3355 Army Street (St. Luke's Hospital). APPLICATION NO. 8106143.

Mr. Don Lim explained the department's reasons for imposing the Investigation Fee. The appellant was not represented, therefore, the board voted unanimously to concur with the department.

APPEAL NO. 81-242

REV. SERAPHIM GISETTI/HOLY TRINITY CATHEDRAL, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Protesting issuance on October 14, 1981 of permit to paint sign on 2415 Van Ness. APPLICATION NO. 8108095.

Reverend Gisetti, representing the Holy Trinity Cathedral and Mr. Constantine C. Chekene spoke of their concerns regarding the impact of the sign on the Cathedral and the congregation. After the discussion with Barry Blue, the painter of the sign, and the appellants, the board voted unanimously to concur with the department with the stipulation that the sign be obliterated by November 15, 1982.

APPEAL NO. 81-238

BLUMENFELD ENTERPRISES, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Protesting issuance on October 7, 1981 of demolition permit to Charles S. Camponella, Inc. (UNITED ARTISTS THEATRE) property located at 1230-1250 Van Ness Avenue. President Giraudo first asked the board to vote on acceptance or rejection of the Negative Declaration of Environmental Impact report. The vote was unanimous to accept. President Giraudo then stated that the issue before the board at this time was only the demolition permit, to which Commissioner Engmann stated that to vote only on the demolition permit was tanta mount to giving permission to build. There was discussion on this point between the board, Pamela Duffy, attorney for the United Artists Theatre, and Peter Bagatelos, attorney for the appellant. After this discussion, the board's decision was to continue this demolition permit until the building permit is also granted.

APPEAL NO. 81-243

EVELYN deCRISTINA, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Protesting issuance on October 13, 1981 of permit to Fouad Malouf for altering building at 144 Stonecrest Drive, under Application No. 8106658. The appellant was represented by her attorney, Walter W. Mollison, Esq., who stated the concerns regarding the alterations by the permit holder. The department was represented by Mr. Don Lim. After this discussion, the board voted unanimously to concur with the department.

APPEAL NO. 81-244

GARY ZIMMERMAN/EDWARD GOODMAN, Appls. vs. DEPT. OF PUBLIC WORKS, Respondent

Protesting issuance on October 16, 1981 to Innisfree Companies to build at 1255 California Street. APPLICATION NO. 800896.

Mr. Don Lim represented the department. The appellants were represented by Mr. Foreman, attorney with the firm of Garay & Foreman. The board voted 5 - 0 to accept the Negative Declaration of Environmental Impact report. Mr. Foreman stated the concerns of the appellants regarding air and light. After some discussion and examination of photographs, the board voted unanimously to concur with the department.

APPEAL NO. 81-248

REBECCA A. VESPERAS, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Denial on October 23, 1981 of permit to alter building at 578 San Jose Avenue. Mr. Don Lim spoke on behalf of the department. The appellant was represented by Robert Peterson, Esq., who presented the facts of the appeal. After a lengthy discussion, the board voted to overrule the department with the following stipulations: (1) the second egress will be brought up to code; (2) the appellant will properly ventilate the crawl space; and that Item 11 has now been corrected and the stair risers of 8½ inches are uniform and therefore meet the intent of the code. APPLICATION NO. 8108003.

APPEAL NO. 81-219

JACK KLEIN, Appellant vs. DEPT. PUBLIC WORKS, Respondent FIRE DEPARTMENT DISAPPROVAL

Denial on September 23, 1981 of permit to alter building at 140 Graystone Terrace. APPLICATION NO. 8106974. FOR REHEARING TODAY.

Captain Mahoney spoke on behalf of the Fire Department. Mr. Lim represented the Department of Public Works. Samuel Schneider and Jack Klein explained their reasons for the appeal. After this discussion by concerned parties, the Board voted unanimously to concur with the department and to deny the permit.

APPEAL NO. 81-245

JACK KLEIN, Appellant vs. DEPT. PUBLIC WORKS, Respondent FIRE DEPARTMENT DISAPPROVAL

Denial on October 23, 1981 of permit to alter building at 140 Graystone Terrace. APPLICATION NO. 8108456.

This appeal, heard concurrently with 81-219, is regarding the same property, the same appellant, and the same departments. Mr. Klein stated that he was told to submit a simple schematic regarding the house valves. He did this, but it was not sufficient for the departments' needs. After a short discussion, the board voted unanimously to concur with the department with the stipulation that Mr. Klein submit schematics which will meet the requirements of the code.

APPEAL NO. 81-239

CROSS-CULTURAL FAMILY CENTER, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp. FIRE DEPARTMENT DISAPPROVAL

The Appellant, Cross-Cultural Family Center, was represented by Ms. Jean Baker, Mr. Robert Thorp, and Richard Clair. They explained that there is approximately one adult to six children at the school. If the children are younger, the ratio of children to adults, is changed. They stated their objections to the requirements, and their plans to make the building safe. After a discussion between Mr. Lim, representing the Department of Public Works, the Fire Department, represented by Captain Mahoney, the Appellants, and the Board, it was decided by the board to hold a site inspection on this property on Tuesday, November 17, 1981 at 8:00 a.m., and to continue this matter until the regular meeting of November 18, 1981.

APPEAL NO. 81-249

HENRY DAVIS, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp. FIRE DEPARTMENT DISAPPROVAL

Commissioner Guggenhime stated that while his firm had some interest in holdings of the appellant's, he felt he could vote impartially in this matter, if the board agreed. The board agreed that Commissioner Guggenhime did not have to withdraw from voting on this appeal.

The Department of Public Works was represented by Mr. Don Lim, and the Fire Department was represented by Captain Mahoney. Mr. Davis spoke on his own behalf. Just before the vote was taken, Commissioner Guggenhime stated that he would abstain. The vote was 3 - 1 to concur with the department with Commissioner Engmann voting to overrule the department. The department was upheld.

APPEAL NO. V81-222

SUZANNE BRANGHAM, Appellant vs. ZONING ADMINISTRATOR, Resp.

Denial on September 22, 1981 of rear yard variance at 2170 Vallejo Street.

This matter was brought before the board for further hearing. The appellant showed drawings demonstrating her intentions. Commissioner Engmann made the motion with the modification as specified in Ms. Brangham's presentation, that the five conditions of the variance are met, and the department erred in finding that the five conditions had not been met. The Zoning Administrator has the perogative of requesting a rehearing within ten days of receiving the proposed decision, if these plans do not meet with his approval.

APPEAL NO. 81-240

UNION STREET ASSOCIATION, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp. CITY PLANNING DISAPPROVAL

Protesting the issuance on October 19, 1981 of permit to Electrical Products Corporation to erect sign at 2284-A Union Street. APPLICATION NO. 8107993.
Ms. Terri Pimsleur, representing the appellant, stated that an agreement had been reached between the owner of the building, Mr. Jim George, and the appellants. The board then voted unanimously to overrule the department with the stipulation that the sign will come down in accordance with the agreement between all parties as stated in the letter of Mr. Jim Goerge, dated November 4, 1981.

APPEAL NO. 81-214

MICHAEL T. McDONALD, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp. ZONING ADMINISTRATOR DISAPPROVAL

This matter was brought to the board for rehearing, requested by the Zoning Administrator.
The Zoning Administrator was represented by Dan Sullivan and Mr. McDonald wpoke in his own behalf. After a lengthy discussion, the board voted 3 - 2 to concur with the department with Commissioners Jackson, Guggenhime, and Vice President Cerbatos voting to overrule the department. The vote upheld the department.

As there was no further business, President Giraudo adjourned the meeting at 9:45 P.M.

DATE: November 4, 1981

LOUIS J. GIRAUDO, President

CLAIRE C. PILCHER, Executive Director

FOR MINUTES OF SPECIAL MEETING ON
NOVEMBER 5, 1981, PLEASE SEE THE
MINUTES OF OCTOVER 22, 1981.

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MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, NOVEMBER 18, 1981
5:00 P.M., Room 282 - CITY HALL

The meeting was called to order at 5:10 p.m. by President Louis J. Giraudo/

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Executive Director Claire C. Pilcher, Don Lim of the Department of Public Works; Dan Sullivan of City Planning, Lawrence Wilson, Esq. of the Legal Division of the Police Department, several officers who gave testimony for the department; Fred Romero and Investigator Gravits of the Alcoholic Beverage Commission, and Doris Levine, the official hearing reporter.

The following requests for rehearing were presented to the board and were denied:

APPEAL NO. 81-183

FRANK CASHMAN, dba STUDIO WEST, Appl. vs. SAN FRANCISCO POLICE DEPT., Resp.
Revocation on July 14, 1981 of the following permits: Dance Hall Keeper, Place of Entertainment, and Cabaret at 100 Vallejo Street. Vote was 3-2 not to rehear with Commissioners Jackson and Cerbatos voting to rehear.

APPEAL NO. 81-245

JACK KLEIN, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp.
Denial on October 23, 1981 of permit to alter building at 140 Graystone Terrace. APPLICATION NO. 8108456. (No motion by board).

The following appeals are from the regular calendar:

APPEAL NO. 81-256

MARTHA L. HARTRICK, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp.
At the request of Mr. Don Lim, this appeal was continued to the meeting of December 2, 1981.

APPEAL NO. 81-239

CROSS CULTURAL FAMILY CENTER, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp.
FIRE DEPARTMENT DISAPPROVAL

Denial on October 19, 1981 of permit to alter building at 1901 O Farrell Street. APPLICATION NO. 8107423.
This appeal was presented to the board for further hearing. A site inspection had been held on this property, Tuesday, November 17, 1981 at 8:00 a.m., attended by all the commissioners and a representative from the Fire Department. The board then voted unanimously to overrule the department with the following stipulations: (1) that the fire resistant corridor end at the dining room; (2) that all walls be one-hour fire resistant; (3) that all door frames be one-hour fire resistant; and (4) that the toilet facilities need not be segregated.

APPEAL NO. 81-250

DUBOCE PARK ENVIRONMENTAL VILLAGE ASSOCIATION, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp.
CITY PLANNING APPROVAL

Protesting issuance on October 19, 1981 to JAY MAC CORPORATION, permit to erect a structure at 69-71 Scott Street. APPLICATION NO. 8100289.
The appellant organization was represented by their president, Vincent DeLuisa, who explained the origin of the park and the Association's concerns regarding its use. Mr. Lim explained the Department's stand on the issues. After this discussion, the board voted unanimously to uphold the department.

APPEAL NO. 81-231

LISA W. KROEBER, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp.
ZONING ADMINISTRATOR DISAPPROVAL

Determination on September 30, 1981 of Zoning Administrator to disapprove building application to legalize unit at 838-A Shrader Street. APPLICATION NO. 8102313 This appeal was brought before the board for a rehearing. Mr. Dan Sullivan represented the Zoning Administrator and stated that the carriage house in question appears to be 40 or 50 years old and cannot be approved retroactively. Miss Kroeber spoke on her own behalf. Mr. Don Lim, representing the Department of Public Works stated that the unit is well ventilated, but the ceiling heights should be 7'6", instead, are only 7'3". Mr. Cerbatos made the motion to approve the unit as Miss Kroeber has shown proof that it has been continuously occupied since 1953, and the units being well ventilated, the ceilings of 7'3 meet the intent of the code. The board then voted unanimously to overrule the department based on these findings.

APPEAL NO. 81-257

DAVID R. VOGT, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp.

Denial on November 10, 1981 of permit to alter building at 2242 Polk Street. APPLICATION NO. 8109342.
Mr. Don Lim represented the Department of Public Works, and explained the reasons for the denial. Captain Mahoney spoke for the Fire Department and explained that the aluminum sash with wire glass is the equivalent of steal. The board then voted unanimously to overrule the department with the stipulation that the windows have an aluminum sash with wire glass.

APPEAL NO. 81-251

ANNE FISHER, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Resp.
ZONING ADMINISTRATOR DISAPPROVAL

Denial on October 19, 1981 of permit to legalize unit and comply with RAP Report regarding property at 343 Frederick Street. APPLICATION NO. 8106422.
Mr. Dan Sullivan represented the Zoning Administrator, and Mr. Don Lim spoke on behalf of the Department of Public Works. Ms. Anne Fisher presented her concerns regarding the second egress from each unit. After some discussion, the board voted 3 - 2 to concur with the department regarding the legalization of the sixth unit. President Giraudo and Vice President Cerbatos and Commissioner Jackson voted to overrule. The department was therefore upheld and the sixth unit is not legalized. There will be a site inspection on this property to determine the issue of second egress on Tuesday, December 1, 1981 at 5:15 p.m. and this appeals will be heard further at the meeting of December 2, 1981.

APPEAL NO. 81-252

HARRY GUTHERTZ, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 23, 1981 of Peddler's Permit at top of Twin Peaks. Lawrence Wilson, Esq. represented the Police Department. Ms. Dorice Murphy stated her objections, and Dovid Rhodes, Esq. attorney for the appellant spoke in Mr. Guthertz' behalf. After some discussion, the board voted 4 - 1 to overrule the department with Commissioner Engmann voting to concur with the department. The finding made by Vice-President Cerbatos before the vote was taken that inasmuch as Mr. Guthertz had been in that location for five years, he should have been grandfathered in in the same manner as the catering van.

APPEAL NO. 81-253

PAUL KANSTOROOM, Appellant vs. POLICE DEPARTMENT, Resp.

Denial on October 28, 1981 of permit to operate a taxicab.
Lawrence Wilson, Esq. represented the Police Department. No one was present to represent the appellant, therefore, the board voted to concur with the department.

APPEAL NO. 81-254

FOREST M. FULTON, III, dba SECURITY INSTRUCTION ASSOCIATION INC., Appellant vs. POLICE DEPARTMENT, Resp.

Denial on October 29, 1981 of permit for retail dealer in firearms at 325 Ninth Street. This appeal was continued to the meeting of December 2, 1981.

APPEAL NO. 81-228

CESAR ASCARRUNZ, dba "CESAR'S PALACE," Appellant vs. POLICE DEPARTMENT, Resp.

Suspension on September 28, 1981 of cabaret permit at 3140 Mission Street. Lawrence Wilson, Esq. Legal representative for the Department, called two witnesses from the Alcoholic Beverage Commission, Investigators Romero and Gravits, who gave testimony regarding their observations at "Cesar's Palace." Mr. Davis and Mr. Halsey, security guards, working at "Cesar's Palace," gave evidence for the appellant. Mr. Velasquez is the attorney for the appellant. After a lengthy discussion by both sides, the motion was made by President Giraudo to reduce the suspension to two weekends instead of the sixty-day suspension requested by the Police Department. The Board then voted unanimously to concur with the department with the following stipulation: that the suspension of cabaret license be for two weekends only.

As there was no further business the meeting was adjourned by President Louis J. Giraudo.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - NOVEMBER 17, 1981

APPEAL NO. 81-239

A special meeting of the Board was held at 1901 O'Farrell Street (CROSS CULTURAL FAMILY CENTER) at 8:00 a.m., Tuesday, November 17, 1981. This site inspection was attended by the full board.

DATE: November 18, 1981

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, DECEMBER 2, 1981
5:00 P.M., ROOM 282 - CITY HALL

The meeting was called to order at 5:00 p.m. by President Louis J. Giraudo.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Executive Director Claire C. Pilcher; Don Lim representing the Department of Public Works; Dan Sullivan, representing the Zoning Administrator; Lawrence Wilson, Esq., Legal Officer for the San Francisco Police Department, and several officers who gave testimony for the department; and Doris Levine, the official hearing reporter.

The following requests for rehearing were presented to the board:

APPEAL NO. 81-228

CESAR ASCARRUNZ, dba "CESAR'S PALACE," Appl. vs. POLICE DEPARTMENT, Resp. Suspension on September 28, 1981 of cabaret permit at 3140 Mission Street. Board voted unanimously to concur with the department with the stipulation that the cabaret permit be suspended for two weekends only. REQUEST FOR REHEARING WAS DENIED DUE TO LACK OF MOTION BY THE BOARD.

APPEAL NO. 81-252

HARRY GUTHERTZ, Appellant vs. POLICE DEPARTMENT, Resp. Revocation on October 23, 1981 of Peddler's Permit at top of Twin Peaks. Board voted 4 - 1 to overrule the department (Commissioner Engmann voting to concur) with the finding that inasmuch as appellant has been at that location for five years, he should have been "grandfathered in" the same as the catering van. REQUEST FOR REHEARING BY POLICE DEPARTMENT. GRANTED BY THE BOARD. Will be calendared for the meeting of December 9, 1981.

The following were matters for consideration and other communications:

(a) Premptory Writ of Mandate re Earl S. Kuhns, dba "Frenchy's K & T Adult Theatre and Adult Bookstore." Presented to Board by Executive Director for their information.

(b) Letter from George Agnost, City Attorney, dated November 18, 1981.

(c) The following request for the board to take jurisdiction beyond the ten-day appeal period was accepted, and calendared to be heard at the regular meeting of December 16, 1981:

Jose C. Chavez, dba "SYLVIA'S DELI & RESTAURANT," Requested by attorney for the appellant, Yale H. Smulyan, Esq. of CARR, SMULYAN & HARTMAN.

The following appeals are from the regular calendar:

APPEAL NO. 81-265

TOM LEDDA, dba "LEDDA PLUMBING, INC.," Appl. vs. DEPT. PUBLIC WORKS, Resp. Imposition on November 19, 1981 of penalty for work at 604 Irving Street. Don Lim represented the Department of Public Works. The appellant spoke in his own behalf. After a short discussion, the board voted 5-0 to overrule the department with the stipulation that the appellant pay two times the permit fee totaling $107.00.

APPEAL NO. 81-259

RALPH W. DRIPS, dba "DRIPS COMIC EXCHANGE," Appl. vs. POLICE DEPT., Respondent
Denial on November 2, 1981 of permit for additional mechanical amusement devices at at 1610 Irving Street.
Lawrence Wilson, speaking on behalf of the Police Department, explained their method of taking measurements. The appellant was represented by Lawrence P. Manning, Esq. After some discussion be both sides, the board voted unanimously to concur with the department.

APPEAL NO. 81-260

REBECCA L. HEATH, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on November 2, 1981 of masseuse trainee permit at Tiffani's Massage and Suana at 483 Broadway.
Lawrence Wilson, Esq., represented the Police Department, and called several police officers to give testimoney. Alan Moss, Esq. was the attorney for the appellant. After some discussion, the Board voted 4 - 1 to overrule the department with Commissioner Jackson voting to concur.

APPEAL NO. 81-261

JESUS V. LOSA, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on November 9, 1981 of permit for loudspeaker on jitney (Mission Street to Ferry route.) Lawrence Wilson represented the Police Department and the Appellant was represented by Philip Pearson, Esq. Mr. Pearson described Mr. Losa's problems in identifying the jitney to the public. After hearing both sides of the discussion, the Board voted unanimously to concur with the department.

APPEAL NO. 81-272

CORNELIUS F. THOMAS, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on November 4, 1981 of permit to operate a taxicab.
Lawrence Wilson, Esq. represented the Police Department. Mr. James Igoe is the attorney for the appellant. The board decided to continue the matter until the meeting of December 9, 1981, to give appellant time to review Police reports.

APPEAL NO. 81-268

JOHN M. KOLLING, Appellant vs. POLICE DEPARTMENT, Respondent
PUBLIC HEALTH DISAPPROVAL
Denial on November 10, 1981 of peddler's permit to sell fruit and vegetables at Jackson and Stockton Streets.
Albert Chin and Paul Schwabacher spoke to the concerns of the Health Department regarding congestion of both pedestrian and vehicular traffic on that corner. Mr. Edmund Lee and Michael How testified regarding the objections of merchants to additional peddlers in that area. Mr. Kolling spoke in his own behalf. After a lengthy discussion, the board voted to concur unanimously with the department.

APPEAL NO. 81-256

MARTHA L. HARTRICK, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
Denial on November 5, 1981 of permit to alter building at 384 Madison Street, San Francisco. APPLICATION NO. 8109456.
Mr. Don Lim spoke in behalf of the Department. Ms. Hartrick spoke regarding her concerns. Following a short discussion and explanation by the appellant, Commissioner Guggenhime made the motion to overrule the department with the finding that the toilet in question has been in existence for a substantial number of years and has caused no problems, and he finds no reason to disconnect it now. Three other members of the Board agreed with him. Vice President Cerbatos voted to concur with the department. The vote was 4 - 1 to overrule the department.

APPEAL NO. 81-269

TOMMY KWAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on November 13, 1981 of permit to alter building at 1034 Chestnut Street. APPLICATION NO. 8108174.
Mr. Don Lim represented the department. Mr. Tommy Kwan, design engineer, and Mr. Frank Caufield explained their plans for the subject property (condominium). After the explanations, the board voted unanimously to overrule the department with the stipulation that appellant hold permit until assured by other owners that second means of egress will be provided from upper two units.

APPEAL NO. 81-258

ALBERT J. GUIDO, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on November 2, 1981 of permit to GOLDEN YUE KWAN HUI to alter building at 304-306 Twenty-First Avenue. APPLICATION NO. 8107898.
The appellant represented himself. Mr. Don Lim spoke on behalf of the Department. Dan Sullivan of City Planning spoke to the 25% open space restriction. After a short discussion, the board voted to concur unanimously with the department.

APPEAL NO. 81-271

JOHN G. BULOSAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on November 20, 1981 of permit to alter building at 1522-24 Waller Street and comply with RAP Inspection Report, Item No. B-52.
Mr. Don Lim represented the Department of Public Works. Mr. Bulosan, the appellant, was represented by Brent Kato, Esq. After a short discussion, the Board voted 5 - 0 to overrule the department.

APPEAL NO. 81-267

PAUL NEWMAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on November 19, 1981 of permit to alter building at 2714 Webster Street. APPLICATION NO. 8103537.
Mr. Don Lim represented the department and Mr. Newman spoke in his own behalf. Following explanations and discussions by both sides, the Board voted 4 - 1 to overrule the department with Commissioner Guggenhime voting to concur with the department. The vote to overrule was with the following stipulation: that all construction be in compliance with the building code, specifically Code Ruling 75-4.

APPEAL NO. 81-207

PACIFIC HEIGHTS NEIGHBORHOOD COUNCIL/ PACIFIC HEIGHTS RESIDENTS ASSOCIATION, Appls. vs. ZONING ADMINISTRATOR, Respondent
Interpretation of the Zoning Administrator dated August 25, 1981 with regard to Section 209.3(a) of the Planning Code.
Anne B. Bloomfield represented the appellants; Mr. Robert Passmore, Zoning Administrator, spoke for the department. A lengthy discussion by representatives of various neighborhood organizations followed. William McCabe, Esq. spoke in the appellant's behalf.

APPEAL NO. 81-207 (continued)

After lengthy discussions and explanations, the Board voted 3 - 2 to overrule the department. President Giraudo and Commissioner Guggenhime voted to concur with the department, therefore, the department was upheld.

As there was no further business to bring before the board, the meeting was adjourned at 10:15 p.m. by President Giraudo.

SPECIAL MEETING - TUESDAY, DECEMBER 1, 1981 at 5:15 P.M.
APPEAL NO. 81-251

The special meeting was held at 343 Frederick Street, San Francisco, at 5:15 Tuesday, December 1, 1981. This site inspection was attended by Commissioners Engmann and Jackson.

DATE: December 2, 1981

Louis J. Giraudo (rl)
LOUIS J. GIRAUDO, President

Claire C. Pilcher
CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

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MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, DECEMBER 9, 1981
5:00 P.M., ROOM 282-CITY HALL

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The meeting was called to order by President Louis J. Giraudo at 5:15 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime (present for the vote on the request for rehearing and the first three appeals only.)

Also present were: Mr. Don Lim of the Department of Public Works, Mr. Sidney Shaw of the City Planning Department; Lawrence Wilson, Esq., Legal Officer of the Police Department, and several Police Officers who testified in various appeals; Claire C. Pilcher, Executive Director, and Doris Levine, the official hearing reporter.

The following matter was a request for rehearing. Request was granted and the appeal will be reheard at the meeting of December 16, 1981.

APPEAL NO. 81-259

RALPH W. DRIPS, dba "DRIPS COMIC EXCHANGE," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on November 2, 1981 of permit for additional mechanical amusement devices at 1610 Irving Street.

The first calendared matter to be heard was as follows:

APPEAL NO. 81-274

MATTHEW J. WANNER, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp.

Imposition on November 27, 1981 of penalty for work done at 322 San Jose Avenue. APPLICATION NO. 8109198.

Mr. Don Lim represented the Department of Public Works. The appellant spoke on his own behalf and explained his reliance on the statements of building inspectors. After a short discussion, the board voted unanimously to overrule the department with the stipulation that the investigation fee be reduced in half, plus the permit fee of $63.00, for a total of $346.00.

APPEAL NO. 81-272

CORNELIUS F. THOMAS, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on November 4, 1981 of permit to operate a taxicab.

Lawrence Wilson, Esq., represented the Police Department and presented several witnesses who testified regarding the San Jose/San Francisco addresses given by the appellant. James Igoe, Esq., attorney for the appellant also called a number of witnesses to testify in behalf of the appellant. After a lengthy discussion, Vice President Cerbatos made the motion to overrule the department, with the finding that the residency requirements were to insure that the person driving a taxicab knows the streets of San Francisco. Further, the inconsistencies in the evidence were those of a person going through a family crisis. The vote was 4 - 1 for the motion and findings, with Commissioner Engmann voting to concur with the department.

APPEAL NO. 81-252

HARRY GUTHERTZ, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 23, 1981 of peddler's permit at top of Twin Peaks.
This matter was presented to the board for rehearing. The rehearing was requested by the Police Department, David Roche, Esq. represented the appellant. Lawrence Wilson, Esq. spoke on behalf of the Police Department, with representatives of several neighborhood organizations represented at the meeting. After some discussion by both sides, the board voted 5 - 0 to concur with the department.

(Commissioner Guggenhime left before the remainder of the agenda was heard.)

APPEAL NO. 81-276

THERESA ALANTARA, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent

Imposition on November 30, 1981 of penalty for work at 142-44 Vicksburg.
APPLICATION NO. 8109575.
Mr. Don Lim represented the department and Ms. Alantara spoke on her own behalf. After a short discussion by both sides, the board voted 4 - 0 to overrule the department with the stipulation that the penalty be reduced to two times the permit fee of $22.20 for a total of $44.40.

APPEAL NO.81-281

CARLOS HOY, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent

Imposition on December 1, 1981 of penalty for work done at 165 Corbett Avenue.
APPLICATION NO. 8109791.
Mr. Don Lim spoke on behalf of the department. The appellant, Mr. Carlos Hoy, represented himself. After a short discussion, the board voted 4 - 0 to overrule the department and to reduce the penalty to two times the permit fee of $63.00 for a total of $126.00.

APPEAL NO. 81-275

JAMES E. LANE, dba "VIRGO'S LIQUOR & GROCERY," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on November 16, 1981 of permit for mechanical amusement devices at 1002 Buchanan Street.
Lawrence Wilson, Esq., represented the Police Department and called Officer Gallagher to testify as to the inadvisability of having the mechanical amusement machines so close to the Ella Hill Hutch Memorial Center and the playground.
Mr. James Lane represented himself. Subsequently, more discussion ensued.
The board then voted 4 - 0 to concur with the department.

APPEAL NO. 81-251

ANNE FISHER, Appellant vs. DEPARTMENT PUBLIC WORKS, Resp. ZONING ADMINISTRATOR DISAPPROVAL

Denial on October 19, 1981 of permit to legalize unit and comply with RAP Report at 343 Frederick Street. APPLICATION NO. 8106422.
Presented to the Board for further hearing. Site Inspection had been held at this address on December 1, 1981 at 5:15 p.m.
Mr. Don Lim represented the Department of Public Works and Mr. Sidney Shaw spoke on behalf of the Zoning Administrator. The board had concurred with the department at the meeting of November 18, 1981 regarding the denial of the sixth unit. The department was upheld on that issue. The site inspection and the further hearing is for the purpose of determining second egress from apartments 2, 3, 4, 5. The Appellant, Miss Fisher spoke in her own behalf. After some discussion, the board voted 4 - 0 to overrule the department with the following stipulations: (1) that either the attic unit or the basement unit be removed, reverting the building to its previous legal use of five units; (2) that the lobby and staircase leading up to the attic unit be sprinklered, and (3) that the units now numbered 2, 3, 4, and 5 have a sprinkler head.

APPEAL NO. V81-273

JEANNE PRUD'HOMME, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial of Off-Street Parking Variance at 167-167A Carl Street.

The department was represented by Mr. Sidney Shaw. Mr. and Mrs. Prud'Homme spoke in their own behalf. After some discussion by all parties, the board decided to hold a site inspection on this property on Tuesday, January 5, 1982 at 8:00 a.m., and continue this matter till the meeting of January 6, 1982.

As there was no further business to bring before the board, the meeting was adjourned at 7:20 p.m.

DATE: December 9, 1981

Louis J. Giraudo (c.d.)

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, DECEMBER 16, 1981

5:00 P.M., ROOM 282 - CITY HALL

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The meeting was called to order by Acting President Agripino Cerbatos at 5:20 p.m.

Present were: Acting President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were: Mr. Don Lim of the Department of Public Works. Mr. Dan Sullivan of the City Planning Department; Lawrence Wilson, Esq., Claire C. Pilcher, Executive Director, and Doris Levine, official hearing reporter.

The following matters were presented as requests for rehearing, and were granted:

APPEAL NO. 81-207

PACIFIC HEIGHTS NEIGHBORHOOD COUNCIL, Appl. vs. ZONING ADMINISTRATOR, Respondent
Interpretation of the Zoning Administrator dated August 25, 1981 with regard to Section 209.3(a) of the Planning Code. (No date set for rehearing).

APPEAL NO. 81-268

JOHN M. KOLLING, Appl. vs. POLICE DEPARTMENT, Respondent
Denial on November 10, 1981 of peddler's permit to sell fruit and vegetables at Jackson and Stockton Street. (Will be reheard on January 6, 1982).

The following appeals are from the regular calendar:

APPEAL NO. 81-287

DON CERVELLI, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
Imposition on December 9, 1981 of penalty for work done at 341 Lisbon Street. APPLICATION NO. 8109441.
Mr. Don Lim represented the Department of Public Works. Mr. and Mrs. Cervelli spoke in their own behalf. After a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the appellant pay only two times the permit fee of $83.40, for a total of $166.80.

APPEAL NO. 81-288

TONI VAN DEN BERG, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
Imposition on December 9, 1981 of penalty for work done at 81 San Felipe Avenue. APPLICATION NO. 8109613.
Mr. Don Lim represented the Department of Public Works. Mr. and Mrs. Van Den Berg presented the reasons for their appeal. Mr. Henry Raab, representing the Monterey Heights Homeowners' Association spoke on behalf of the department. After a lengthy discussion, the board voted to overrule the department with the stipulation that the penalty be reduced in half, plus the permit fee of $32.40, for a total to be collected by the department of $178.20.

APPEAL NO. 81-259

RALPH W. DRIPS, dba "DRIPS COMIC EXCHANGE," Appl. vs. POLICE DEPARTMENT, Respondent
Denial on November 2, 1981 of permit for additional mechanical amusement devices at 1610 Irving Street.
The Police Department was represented by Lawrence Wilson, Esq. The appellant was represented by Lawrence P. Manning, Esq. After lengthy testimony by the department and the representative for the appellant, the board voted 2 - 2 to concur with the department, with Vice-President Cerbatos and Commissioner Jackson voting to overrule the department. The department was upheld.

MINUTES OF THE MEETING OF DECEMBER 16, 1981

APPEAL NO. 81-277

ANN M. ROVERE, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on November 20, 1981 of peddler's permit at 24th and Sanchez Streets; 1182 Market Street, and 4083 - 24th Street.
The Police Department was represented by Lawrence Wilson, Esq., and the appellant, Ann Rovere, spoke on her own behalf. After a discussion regarding the sites chosen by the appellant, the board decided to continue this matter until the meeting of January 6, 1982, in order that Ms. Rovere would be able to submit alternate sites and more specific information regarding her appeal.

APPEAL NO. 81-285

RICHARD PICKETT, dba "STOP 'n' GO MARKET," Appl. vs. POLICE DEPARTMENT, Resp.
Denial on November 24, 1981 of permit for mechanical amusement devices at 600 Monterey Boulevard.
Lawrence Wilson, Esq. represented the Police Department. Mr. Henry Raab, represented the Monterey Heights Homeowners' Association, supported the Police Department's stand in this appeal. Richard Pickett spoke in his own behalf. After a lengthy discussion, the Board voted to overrule the department (4 - 0) with the following stipulations: (1) permit to expire in six months; (2) limit of two machines; (3) devices not to operate in the hours of 8:00 a.m. to 3:00 p.m.; (4) devices not to be operating after 12:00 Midnight.

APPEAL NO. 81-284

JOSE C. CHAVEZ, dba "SYLVIA'S DELI & RESTAURANT, Appl. vs. POLICE DEPT., Resp.
Denial of permit for mechanical amusement devices at 4499 Mission Street.
Lawrence Wilson represented the Police Department. The appellant was represented by George M. Carr, Esq. Mr. Carr explained the reasons for wanting the mechanical amusement devices. After some further discussion, the board voted 4 - 0 to overrule the department with the following stipulations: (1) the permit will be issued for a six-month period; (2) there will be a limit of two machines; (3) no persons under 18 years of age are to play the machines.

APPEAL NO.81-278

MIKE McGRATH, Appellant vs. POLICE DEPARTMENT, Respondent
PUBLIC HEALTH DISAPPROVAL
Denial on November 20, 1981 of pushcart permit at 850 Bryant Street. The appellant asked that this matter be continued to the meeting of January 6, 1982, and the Board agreed.

APPEAL NO. 81-283

AGNES CAMERON, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
Protesting issuance of permit to Leonard Wright to alter building at 26 Stanford Heights.
APPLICATION NO. 8107970.
The appellant spoke of her concerns regarding air, light, and view. Mr. Wright, permit holder, explained his plans for further building. The board then voted 4 - 0 to concur with the department.

APPEAL NO. 81-286

B. H. WEBB, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL
Denial on November 30, 1981 of permit to alter building at 315-A Elizabeth Street.
APPLICATION NO. 8108176.
The Department of Public Works was represented by Mr. Don Lim. Mr. Dan Sullivan spoke in behalf of the City Planning. Mr. David Ewenhouse, a next door neighbor, supported the Departments. Mr. Webb stated that the third unit was already occupied. Mr. Sullivan suggested that the appellant secure a variance from off-street parking, as it is a legal two-unit building, which was converted back to two units in 1960.

APPEAL NO. 81-286 (Continued)

The Board then voted 4 - 0 to concur with the department.

As there was no further business, the meeting was adjourned at 7:50 p.m. by Acting President Agripino R. Cerbatos.

DATE: December 16, 1981

Agripino R. Cerbatos

AGRIPINO R. CERBATOS, Acting President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

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